

Ethel M. Peterson, Lake Arrowhead.  
Nellie G. Donohoe, Oakland.  
Clarence McCord, Olive View.  
Edith E. Mason, Santa Fe Springs.  
William J. Black, Terminal Island.

## COLORADO

Perry N. Cameron, De Beque.  
Sadie P. Aspaas, Ignacio.  
Angeline B. Adkisson, Longmont.  
Henry C. Monson, Steamboat Springs.

## DELAWARE

John B. Derrickson, Ellendale.  
James A. Jester, Felton.  
Claborne A. Boothe, Frankford.

## GEORGIA

Herman C. Fincher, Lagrange.  
Robert E. Walker, Roberta.  
Jessie Gunter, Social Circle.  
Alfred L. Morgan, Sylva.  
William O. Wolfe, Uvalda.

## INDIANA

Ira Clouser, Crawfordsville.

## IOWA

James A. McDonald, Algona.  
Fred W. Daries, Armstrong.  
William R. Shott, Birmingham.  
William A. Fiestler, Brandon.  
Henry C. Finner, Denison.  
John J. Fowler, Eldora.  
E. Harold Gilreath, Grand River.  
Albert B. Mahne, Greene.  
Charles W. Taylor, Janesville.  
Rita A. Brady, Keswick.  
Otha H. Darby, Madrid.  
Ernest L. Wood, Maxwell.  
Adolph M. Schanke, Mason City.  
Gertrude C. Ward, Melrose.  
Robert A. Mortland, Montezuma.  
Laura M. Smith, Montour.  
John W. Dwyer, Oelwein.  
Joe Goodman, Osceola.  
Anna Bliem, Plymouth.  
Harry F. Chance, Redfield.  
Thomas J. Emmett, Reinbeck.  
John H. Fitzgerald, Waterloo.  
Arthur C. Kohlmann, Waverly.

## NEW HAMPSHIRE

Frank B. Farley, Dublin.  
Polycarpe Tardif, Somersworth.

## NORTH DAKOTA

John A. Corrigan, Stanley.

## SOUTH CAROLINA

John L. Hinnant, Eutawville.  
Stephen E. Leverette, Iva.  
Gertrude Nance, Mullins.  
Albert H. Askins, Timmonsville.

## UTAH

Jabez W. Dangerfield, Provo.

## WYOMING

Margaret L. Cooper, Medicine Bow.  
Chester A. Lindsley, Yellowstone Park.

## HOUSE OF REPRESENTATIVES

MONDAY, MAY 7, 1934

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

Heavenly Father and Savior of men, we unveil the cross and behold infinite love struggling of expression; how red is Thy heart and how full of mercy are Thy hands. Thy

LXXVIII—518

authority needs to be enthroned in every walk of life. How strong and sovereign is the manhood that breathes through Thee. Illuminate our minds and cleanse our hearts from all guile that we may be one with Thee in thought and purpose. Be Thou the ground and the pillar of our strength; be Thou the cradle song for every child of Thine; be Thou heaven's purity that cleanses every stained life; be Thou the fadeless flower for every weary breast. O be Thou the springtime for every dear heart clouded with the winter of discontent, and all glory be unto Thee. Amen.

The Journal of the proceedings of Saturday, May 5, was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5884. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. VAN NUYS, Mr. McCARRAN, and Mr. HASTINGS to be the conferees on the part of the Senate.

## THE FLORIDA CANAL

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman state what he is going to talk about? We have a rather heavy program for today.

Mr. GREEN. I am going to talk about a canal across Florida.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

## THE CANAL ACROSS FLORIDA

Mr. GREEN. Mr. Speaker and my fellow Members, it is my pleasure to report to you the progress which is being made upon the proposed canal across Florida. In 1927 you were good enough to pass a survey bill which I introduced, and again in 1930 you saw fit to approve the bill which I introduced and which provided for the physical survey. Surveys for a large number of routes across Florida have been made by the Board of Army Engineers. A few weeks ago they reported that the canal was feasible from an engineering standpoint and that it could be constructed. They estimated its cost to exceed \$200,000,000.

During the past few months the Public Works engineers have made surveys for this waterway, which would connect the Atlantic Ocean with the Gulf across the peninsula of Florida, and these engineers report that it is feasible and could be constructed for about \$115,000,000. These estimates are for a canal from 30 to 35 feet in depth and of sufficient width to take care of all ships now using the Gulf of Mexico.

Its construction is estimated to utilize the services of from twenty-five to thirty thousand employees over a period of about 5 years. It is believed that this canal would soon develop from forty to fifty million tons per year, and that with a small toll it would in 50 to 60 years retire the cost of construction plus upkeep and interest.

A special board of review is now being appointed by the President for the further consideration of the reports of the Army engineers and the Public Works engineers. We confidently hope that this special board will harmonize the differences in the two reports and make such findings as will fully warrant beginning immediately on the construction of this great project. This proposed canal is next in importance to the Panama Canal, and will, I am confident, within 5 years after its opening handle greater tonnage than is now being handled by the Panama Canal.

The construction of the canal across Florida will redound great benefits to every State in the Union. It will save some 22 hours in time between New Orleans and ports of the East, and will, of course, reflect cheaper transportation to all the Mississippi Valley, the Southern States, and the eastern tier of States from Maine to Miami. It will eliminate storm hazards and also be a great asset in the event of war. Construction at this particular time will greatly relieve unemployment. From 76 to 82 percent of the amount expended will go to labor. We believe the time is now ripe for commencing of this project, and we believe also that it will soon be authorized. The cooperation of all waterways-development advocates is urged.

#### FREIGHT RATES ON FLORIDA VEGETABLES LOWERED

In connection with our previous vigorous effort for lower cost of transportation it is encouraging to know that we have finally been able to obtain through the Interstate Commerce Commission reduction of rates on vegetables shipped from Florida and other places in the Southeast. From the Florida Peninsula the rates on string beans, lima beans, and peas has just been fixed at 50 percent of the first-class freight rates. Beets, carrots, tomatoes, peas, green corn, cucumbers, eggplant, lettuce, and so forth, reduced to 45 percent; celery, 42.5 percent; cabbage, 35 percent; and potatoes, 30 percent. These reductions have been fought for by the members of the Florida delegation and by Florida shippers for many years, and we appreciate the cooperation of the Interstate Commerce Commission and know that with these reduced rates our Florida growers will begin to realize long-deserved benefits. There should be no discrimination in rates paid by Florida shippers and those paid by other places of equal distance from the eastern market. We are endeavoring to convince the Interstate Commerce Commission that any discrimination in rates heretofore existing must be corrected. If necessary, legislation to investigate the Commission and preferential rates allowed will be introduced. Florida strawberries and other vegetables and fruits must be transported as cheaply as Louisiana strawberries and vegetables.

#### MAJOR ADMINISTRATION MEASURES PASSED

The House has already passed nearly all of the important administration measures. We have passed such important and controversial matters as the tariff bill, the tax bill, crime bills, bills whereby the Government guarantees the principal of home-loan bonds and Federal land-bank bonds, the stock market bill, the annual supply bills, and others; but there are other bills which we should pass before adjournment.

#### OLD-AGE PENSIONS

We should pass legislation for the sustenance and protection of the aged. My bill, H.R. 9228, meets this emergency, and I trust my colleagues will cooperate for its prompt passage.

#### PAYMENT OF BANK DEPOSITORS

Before adjournment we should pass legislation to pay the depositors in closed State and national banks throughout the country, particularly the deposits of the small depositor. For this purpose I have introduced a bill, H.R. 9018. I earnestly ask for your support of this legislation.

#### AID FOR SCHOOLS

Also do I urge upon my colleagues the importance of providing before we adjourn for the allocation of Federal funds to be used in prolonging the terms of public schools in places where local authorities are unable to maintain them for an 8-month period. During this grave emergency the education of our youth must not be neglected and the Federal Government should see to it that our children are provided with 8-month terms. Local control, administration, and jurisdiction must in all events be maintained. Local public-school authorities must be protected in their rights to manage their schools, employ their teachers, and approve the textbooks taught.

#### LABOR BILLS

We have pending several meritorious bills which have for their aim the protection of labor. These should be acted upon before adjournment.

#### CARE FOR SICK

Under the F.E.R.A. considerable assistance is being given to the sick who are unable to pay for medical care. This relief should be increased even to the extent of cooperation in the establishing and maintaining of county hospitals for the care of the sick. No American citizen should be deprived of medical attention because he is unable to pay for it. Neither should our doctors and nurses be compelled to serve for charity. Through the proper cooperation these hospitals can be under the direction and management of local physicians and nurses.

#### FLORIDA RECEIVES FEDERAL MONEY

We are led to ask the above cooperation from the Federal Government, because of the great assistance in the way of appropriations and expenditures which the Federal Government had made in the various States. Since I have been a Member of Congress Florida has received large Federal benefits. To partially itemize expenditures in Florida over this 10-year period, they are as follows: By the Veterans' Administration in 1932, \$9,000,000; in 1933, \$10,000,000. Over the past 10 years, including the amount of bonus loans, Florida veterans and their dependents have received in the neighborhood of \$100,000,000. Federal road aid, including the \$4,264,929 now available, amounts to \$21,254,824; the Treasury Department, for public buildings, \$6,141,040.88; the Navy Department, \$1,036,460; Forestry Service, \$2,623,576.77, also about three million for C.C.C. camps; the Bureau of Lighthouses, \$1,280,000; the Farm Credit Administration, \$39,976,594—\$9,620,770 of this amount has been loaned by the Federal Land Bank of Columbia since May 1933. The War Department has spent \$22,189,950 and authorized, in addition thereto, \$11,450,000. For educational purposes, \$1,368,702. The Public Works Administration, for Federal projects, \$18,339,047, and for non-Federal projects, \$5,749,487, or a total of \$24,088,534. I have not the accurate figures on other Government agencies which directly and indirectly have given us several million more dollars, but even counting the above you will note that we have received \$434,599,681. Much of this has been loans.

The Reconstruction Finance Corporation, the Federal Relief Administration, and the Federal Home Loan Corporation have sent to Florida many millions which, added to the above total, would probably give Florida \$500,000,000 Federal funds in the past 10 years.

Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein one or two very short letters, one of them from a colleague.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that the Committee on Immigration and Naturalization may be authorized to sit on the 8th and 9th of this month during sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### RELIEF OF THE DEBTORS

Mr. OLIVER of New York. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech delivered by the gentleman from Oklahoma [Mr. McKEOWN] before the Women's Illinois Bar Association a short time ago.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OLIVER of New York. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech delivered by the gentleman from Oklahoma [Mr. McKEOWN] before the Women's Illinois Bar Association a short time ago:

Madam President, members of the Women's Bar Association of Illinois, the pleasure of being here tonight is due to the gracious invitation of your committee and the earnest appeal of one of America's outstanding newspapermen.



This is an opportune time to discuss with the members of this distinguished association the Federal laws passed in the last few months for the relief of debtors in the United States. This is a human question, and you understand the human relations of debts to the distress of the men and women in all walks of life. The housewife is the budget officer of the home. Upon her shoulders falls the task of making the tongue of family income meet the buckle of family outgo.

The private debts in this country have reached an enormous sum, and the money to meet them has been shrinking until the losses by liquidation are simply terrific. The loss in Chicago, as shown by the schedules in bankruptcy alone in the last 4 years, has been in the neighborhood of \$238,000,000. In the year 1933 it was around \$88,000,000. That has been washed out and lost.

For more than 4 years I have been giving much study and labor upon the problem of devising some lawful and constitutional scheme by which the liquidation of property for debt-paying purposes at a time when there was no market could be stopped without resulting injury to the creditor class.

Marco Polo in his writings tells us of a country in his travels where the creditor if he had the opportunity could draw a ring on the ground entirely around his unfortunate debtor, and it was the law of that country that the debtor could not cross the line until he paid, upon the penalty of death. In other words, he had to pay, stay in the ring, or get killed by his creditors. We shudder at this barbaric law, but it is a tame affair as compared with that of the terrible law of the 12 tables whereby the creditors might cut the debtor's body to pieces and each of them take his proportionate part. Many learned men, however, tell us they have doubts that that law ever existed. In the days of the Roman Empire more humane laws were passed—if you can call them humane—whereby the debtor was imprisoned in chains and subject to stripes at the mercy of his creditor.

Later, under the Christian emperors, if a debtor yielded up his property he was not sent to jail; and if by accident or from causes for which he was not responsible he could swear an oath that he was not able to pay his debts, he was not required to give up the small amount left in his possession.

I used to wonder why our forefathers in England and the Colonies would imprison persons for debt—well, by research, I learned that the practice arose as a precaution against prodigality and extravagance on the part of people other than tradespeople. Upon this I quote from Chitty's Blackstone as follows:

"If persons in other situations of life run in debt without the power of payment, they must take the consequences of their own indiscretion, even though they meet with sudden accidents that may reduce their fortunes; for the law holds it to be an unjustifiable practice for any person but a trader to encumber himself with debts of any considerable value. If a gentleman, or one in a liberal profession, at the time of contracting his debts has a sufficient fund to pay them, the delay of payment is a species of dishonesty, and a temporary injustice to his creditor; and if, at such time he has no sufficient fund the dishonesty and injustice is the greater. He cannot therefore murmur, if he suffers the punishment which he has voluntarily drawn upon himself. But in mercantile transactions the case is far otherwise. Trade cannot be carried on without mutual credit on both sides; the contraction of debts is therefore here not only justifiable, but necessary."

While we cannot tolerate such a law in our present civilization, yet how much better our country would be today if the extravagance of our people other than tradesmen during the 10 years from 1919 to 1929 had been curtailed, even by a law. The first bankruptcy act in England was enacted during the reign of Henry VIII.

The first bankruptcy act in this country was the act of 1800. This was repealed after a few years, and the next act was the law of 1841. This law, after serving its purpose, was repealed. Then came the act of 1867, on the heels of the Civil War. It was the amendment of this latter act of June 22, 1874, that composition with creditors was first permitted in America.

After the close of the War with Spain we enacted our present Bankruptcy Act, which has from time to time been amended. The latest amendment is the act of March 3, 1933, known as "Provisions for the relief of debtors." Early in the second session of the Seventy-second Congress the Department of Justice laid before Congress a new proposal for relief of debtors as distinguished from bankrupts by way of amendments to the Bankruptcy Act. This was a new departure from the usual relief by bankruptcy. It proposed to deal with debtors as such and not as persons adjudged bankrupts.

In other words, it amended the Bankruptcy Act so as to offer a forum where distressed debtors could come, before their plight was hopeless, and avail themselves of this new procedure and thus avoid the stigma of bankruptcy. Thus debtors in their early stages, if insolvent, could seek a city of refuge while there is still something worth saving for themselves and their creditors. It always takes a new proposal a long time to percolate the Congress, and immediately the question of the constitutional power of Congress to enact such legislation arose. Challenging the constitutionality of a bill is the one question which Congressmen have the right to raise against a new or progressive measure, and more speeches have been made in both Houses on this subject, with less real enlightenment, than on any other subject ever discussed. Strange as it may seem, more lawyers have questioned the constitutionality of many of the acts of Congress, but few have ever fallen before the highest court of the land.

The Honorable Thomas D. Thacher, of the New York Bar, the then Solicitor General, filed a brief in support of the bill, which

has not, in my opinion, been answered. Through his efforts it was possible to merge into one bill my House bill for the relief of individual debtors with Senator Hastings' corporate reorganization bill. Later a railroad-reorganization section was introduced by Congressman LaGuardia, now the mayor of New York City.

After much labor we finally passed the bill through the House containing a section covering individuals, corporations, and interstate railroads. When the bill reached the floor of the Senate in order to expedite the passage of the act, it was necessary to drop the section dealing with corporations. However, Senator JOSEPH T. ROBINSON of Arkansas put in a new section dealing exclusively with debtor farmers. So when the act emerged on March 3, 1933, it provided a new procedure for individual debtors (which includes any farmer), a section with groups of farmer debtors, and providing special procedure for them; and railroad reorganization.

Section 73 of the debtors' relief amendment deals with the jurisdiction of courts of bankruptcy by adding to their jurisdiction right to entertain petitions for extensions of distressed debtors. Many lawyers contend that there must be an adjudication in bankruptcy or a prayer for such. I will quote from an old but governing authority. I quote from the opinion of Mr. Justice Catron in *re Klein*, found in forty-two United States (1 How.), page 277, as follows:

"In considering the question before me, I have not pretended to give a definition, but purposely avoided any attempt to define the mere word 'bankruptcy.' It is employed in the Constitution in the plural and as part of an expression, 'the subject of bankruptcies.' The ideas attached to the word in this connection are numerous and complicated; they form a subject of extensive and complicated legislation; of this subject Congress has general jurisdiction, and the true inquiry is, To what limits is that jurisdiction restricted? I hold it extends to all cases where the law causes to be distributed the property of the debtor among his creditors; this is its least limit. Its greatest is the discharge of a debtor from his contracts. And all intermediate legislation affecting substance and form, but tending to further the great end of the subject—distribution and discharge—are in the competence and discretion of Congress."

"The question, then, as to what is a 'bankruptcy' law is one purely of substance. If it provides for the distribution of a debtor's property among his creditors, it is a 'bankruptcy' law within the meaning of the Constitution. Terminology is of no importance. As Mr. Justice Catron pointed out, every State law is a bankrupt law, in substance and fact, that causes to be distributed by a tribunal the property of a debtor among his creditors. \* \* \* Such a law may be denominated an insolvent law (and never mention the words 'bankruptcy' or 'bankrupts'); still it deals directly with the subject of bankruptcies, and is a bankrupt law in the sense of the Constitution; and if Congress should pass a similar law it would suspend the State law while the act of Congress continued in force."

"The framers of the Constitution were familiar with Blackstone's Commentaries and with the bankrupt laws of England, yet they granted plenary power to Congress over the whole subject of bankruptcies and did not limit it by the language used. This is illustrated by Mr. Sherman's observations in the convention, that 'bankruptcies' were, in some cases, punishable with death by the laws of England, and he did not choose to grant a power by which that might be done here; and the rejoinder of Gouverneur Morris, that 'this was an extensive and delicate subject. He would agree to it, because he saw no danger of abuse of the power by the legislature of the United States.'"

I cite you to the case of *Hanover National Bank v. Moyses* (186 U.S. 181), an opinion by that great Chief Justice Melville W. Fuller, a son of your great Commonwealth, which decision answers every doubtful Thomas.

Under this new procedure when a merchant finds himself losing money with sales falling to the point he cannot meet his debts as they mature, he can immediately file his petition in the bankruptcy court not as a bankrupt, but as a distressed debtor asking for extensions of due dates of his indebtedness or for a scaling-down of principal or interest or both and for an extension of time in which to meet his obligations. He files a schedule giving the names, addresses, and amount due each creditor together with a list of all his assets and with these a plan of settlement setting forth the extension he desires. A day certain is fixed by the receiver or trustee—if none, the court—and notice of his proposal with a brief outline of his indebtedness and a statement of his assets and a list of the names and addresses of all secured creditors and of 15 of his largest unsecured creditors is sent to each creditor.

At this meeting the creditors and the debtor discuss the plan suggested, and both may offer other plans or amendments; and if a majority of the creditors in number and amount agree with the debtor, the plan is then filed in the courts for approval and confirmation. The hearing is set at such place and time as will be most convenient for all parties in interest; and if it contains an equitable plan for liquidating the debts and rehabilitating the debtor, the plan is approved. Each creditor who files a claim must state that the claim is free of usury as defined by the laws of the place where the debt is contracted. The extension plan may extend the time for agreement of either or both unsecured and secured debts, but cannot reduce the amount of the debt or impair the lien of any secured creditor, but may affect the time and method of its liquidation. Upon the confirmation of the plan for extension the court may either dismiss proceedings or retain jurisdiction of the debtor and his property during the period of

the extension. If a debtor fails to carry out the terms of the plans, he may appoint a trustee to liquidate the estate. The debtor may answer to an involuntary petition filed against him in bankruptcy and invoke the jurisdiction to submit a plan as a distressed debtor.

When a petition of a debtor is filed for an extension or composition or an answer as the case may be, the court takes jurisdiction of the debtor and his property and all other proceedings by way of suit, execution, or attachment are automatically stayed until action is had upon his application or answer for extension. I developed the idea of individual debtors' relief from the debtors' respite law as found in the old Louisiana Code, which came down from the Code De Napoleon, chapter 75, dealing with agricultural composition, and the extension for farmers was modeled after the section dealing with individual debtors and was made especially applicable to distressed debtor farmers and was sponsored by the Federation Farm Bureau. Under its provisions 15 or more farmers who say they intend to file petition under the section may petition the Federal district judge to appoint a conciliation commissioner for that county. The commissioner designated to serve in that county or such commissioner appointed in an adjacent county may serve in the county. These commissioners are appointed for 1 year and may be removed by the court whenever their services are no longer needed or for cause.

Any person that may be appointed as a conciliation commissioner must have the qualifications of a referee in bankruptcy and in addition must be familiar with the condition of the agriculture in the county, and he cannot be engaged in the farm-mortgage business or engaged in financing farmers or dealing in transactions in agricultural commodities or in the business of agricultural marketing or in furnishing agricultural supplies.

The farmer under this section pays a deposit fee of only \$10. The district judge has the power whenever the needs require to appoint also a supervising conciliation commissioner for his district. The conciliation commissioner shall receive as compensation for his services including his expenses a fee of \$10 for each case docketed and submitted to him. It was the intention of Congress that this would include whatever personal expenses the commissioner might expend, but it was not contemplated to include the expenses of notices or any matter of that character. It was intended by Congress that such expenses as notices and letters mailed shall be paid out of the Treasury. The supervising conciliation commissioner is paid not to exceed \$5 per day, together with subsistence and traveling expenses according to the schedule paid other such officers in the Department of Justice. This section has a limitation of 5 years and is not the permanent law.

In the case of farmers when they file their application no action can be brought against them for any demand debt or account or for the foreclosure of mortgages on their land or to acquire title to their lands by virtue of tax sale; nor the levying of an execution by attachment or garnishment; or sales of the land in the satisfaction of any judgment or liens except upon permission granted by the court; however there is no prohibition against the collection of taxes nor as to property not used for agricultural purposes.

A farmer may file either as individual or as a group if there is a conciliation commissioner in his county.

I will not undertake to discuss the procedure for reorganizing railroads contained in this act, nor will I attempt to discuss the reorganization of corporations which is still pending in Congress. There is also an amendment pending in Congress to give municipal corporations and taxing districts an opportunity to secure extension by agreement of their security holders. Under the section dealing with individual extensions there is to be found respite for the burdened debtor in every walk of life, the trader, the professional man or woman, and the employee.

It is my hope that thousands of distressed debtors may learn of this provision of the law and settle their debts by extension agreements while there is no market in which to liquidate their assets. The underlying plan upon which this legislation is predicated is that through the agencies of the bankrupt court we offer a forum to which the distressed debtor may invite his creditors to sit around the table in an open, free, and frank discussion of the whole situation, and may reach an agreement with the majority in number and amount to a plan that will not only rehabilitate the debtor, but will repay the creditor.

I hope this scheme will succeed. In conclusion I hope the business of the lawyers commences to recover immediately, and I am sure the new amendments of the bankruptcy law will show you the way to recover your own fortunes and at the same time render the distressed debtors of America a great service and add to the revenue of the creditors of America.

I thank you.

#### CROP-PRODUCTION LOANS

Mr. PARKER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of submitting a unanimous-consent request.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PARKER. Mr. Speaker, I have a resolution pending before the Rules Committee, House Resolution 328, that has for its purpose an investigation of the manner in which

crop-production loans are being made throughout the country.

I have here a letter from Dr. A. R. Johnston, of Reevesville, S.C., apropos of this resolution.

I ask unanimous consent to insert a portion of this letter in the RECORD with a copy of my reply thereto.

Mr. O'BRIEN. Mr. Speaker, I object.

Mr. PARKER. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PARKER. Mr. Speaker, I shall undertake to read a portion of this letter to the House. It is addressed to me and dated May 4, 1934.

Hon. HOMER C. PARKER,

*United States Congressman, Washington, D. C.*

DEAR MR. PARKER: I am delighted to see you are taking some action in behalf of the farmer, who hasn't had a square deal from the Government. I wish to state one concrete case, which is one among hundreds in South Carolina:

A Mrs. Crawford was told she could not borrow \$60 from the seed-and-feed loan unless rejected by the Crop Production Credit Association. She had to borrow \$60 from the Production Credit Association, mortgaging her livestock, chattels, and crop, in fact, everything she has. She gets in return 4 checks, as follows: 1 for \$51 payable to Mrs. Crawford, 1 for \$2 payable to Mrs. Crawford and the clerk of court to cover attorney's fee and recording, 1 for \$2 payable to Mrs. Crawford and the inspector, 1 payable to the Production Credit Association for \$5 for class B stock, making a total of \$9 expense, plus \$1 application fee, plus 5½-percent interest to be paid in October 1934.

This is a poor widow who has not the necessities of life; and not being satisfied with the cost deducted from the amount applied for, she offered her check back to the president of the Association and asked for her papers. She was told she could get her papers upon payment of \$4, and not having the \$4, she had to keep the \$51, regardless of the usurious rate of interest. This is one concrete case with hundreds of others all over the country.

The above is nothing short of a crime, perpetrated by whom? When you destroy the home and farm you destroy America; and the above is a fair way to destruction.

You know Congress appropriated \$40,000,000 seed-and-feed fund to be loaned to the farmers for crop production. It also states in that act the farmer can borrow up to \$250. Did Congress rescind this law to enable the Crop Production Credit Association to force us to borrow from them at this usurious rate of interest? We were told by the officials of the seed-and-feed loan we could not borrow from them for crop production unless the Production Credit Association refused to make us a loan. If a farmer wanted to borrow less than \$50, he could borrow through the seed-and-feed loan direct. It has only been about 10 days since we have been allowed to borrow direct from the seed-and-feed loan to the amount of \$145 without first having to apply to the Production Credit Association. Unfortunately I am afraid they have waited too late in making this change to be of much benefit to the farmer. In other words, a case of shooting first and then investigating.

Congressman, we the farmers are not asking any special favors; we are demanding that we be put on a basis with other interests. Is there a business in America that could survive under such usurious rates of interest or cost of obtaining money?

Yours sincerely,

A. R. JOHNSTON.

My reply is dated today and reads as follows:

Dr. A. R. JOHNSTON,

*Reevesville, S.C.*

MY DEAR DR. JOHNSTON: I am in receipt of your letter of May 4 and I assure you that the information contained therein is greatly appreciated. I am going to do my best to get the portion of your letter with reference to crop loans inserted in the CONGRESSIONAL RECORD today.

I am terribly busy and will not answer your letter fully at this time. Later on I hope to be able to write you again and tell you definitely whether or not I have been able to accomplish anything for the underprivileged farmers in your State and mine.

Thanking you for your letter, I am

Yours sincerely,

HOMER C. PARKER.

DANIEL BOONE

Mr. CHAPMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3355) to authorize the coinage of 50-cent pieces in commemoration of the two hundredth anniversary of the birth of Daniel Boone.

Mr. MARTIN of Massachusetts. Has this bill been passed by the Senate?

Mr. CHAPMAN. It has been passed by the Senate, and an identical bill has been reported by the Committee on Coin-



age, Weights, and Measures. The coins are to be issued only upon the request of the secretary of the Daniel Boone Bicentennial Commission. They are desired by Boone Station, Bryanville, and Boonesboro.

Mr. MARTIN of Massachusetts. The gentleman has been authorized by the committee to call it up?

Mr. CHAPMAN. Yes. If they do not get these coins very soon it will do them no good.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That, in commemoration of the two hundredth anniversary of the birth of Daniel Boone, there shall be coined by the Director of the Mint 600,000 50-cent pieces of standard size, weight, and silver fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, to be legal tender in all payments at face value.

Sec. 2. That the coins herein authorized shall be issued at par and only upon the request of the secretary of the Daniel Boone Bicentennial Commission.

Sec. 3. Such coins may be disposed of at par or at a premium by said Commission and all proceeds shall be used in furtherance of the Daniel Boone Bicentennial Commission projects.

Sec. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table. A similar House bill was laid on the table.

#### CONSTRUCTION OF POST OFFICE AT LAS VEGAS, NEV.

Mr. LANHAM. Mr. Speaker, I call up the bill (H.R. 3900) authorizing the Secretary of the Treasury to pay subcontractors for material and labor furnished in the construction of the post office at Las Vegas, Nev., with a Senate amendment, and I move to concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Goldsmith Metal Lath Co. the sum of \$892.73, to Price-Evans Foundry Corporation the sum of \$1,790.10, and to R. W. Felix the sum of \$27.81, in full settlement of all claims against the Government of the United States for losses suffered by the said companies by reason of the default of the Plains Construction Co., general contractors for the construction of the post office at Las Vegas, Nev., and the contractor's failure to furnish the valid bond as required by law for the protection of labor and material men furnishing labor and material on public works: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. MARTIN of Massachusetts. Will the gentleman explain the purpose of this bill?

Mr. LANHAM. I shall be glad to do so. The bill H.R. 3900 was introduced by the gentleman from Nevada [Mr. SCRUGHAM] and passed both Houses. It provided for the payment to certain subcontractors for material and labor furnished in the construction of the post office at Las Vegas, Nev., of sums due them which had not been received by reason of the default of the general contractor, the Plains Construction Co. The bill was discussed in the House and passed.

A similar bill was introduced in the House by the gentleman from Tennessee [Mr. McREYNOLDS], dealing with almost the identical situation growing out of some contracts that involved about \$2,500 in addition. This bill was referred to the Committee on Claims, whereas the first one came from the Committee on Public Buildings and Grounds.

The Committee on Claims has reported the bill and it is on the calendar. This bill by Mr. McREYNOLDS is the item added by way of amendment in the Senate.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

#### LEAVE TO ADDRESS THE HOUSE

Mr. TRUAX. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection?

Mr. BYRNS. Mr. Speaker, I reserve the right to object. I am not going to object to this request, but I do hope we can get to this Consent Calendar as soon as possible. There are many bills on the calendar, and I think we ought to proceed with it.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. MARTIN of Massachusetts. Will the gentleman tell us when we are going to take up the suspensions?

Mr. BYRNS. I refer the gentleman to the Speaker.

The SPEAKER. Probably about 3 o'clock. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRUAX. Mr. Speaker, in the last two sessions that we have had for the consideration of bills on the Private Calendar I have objected to several bills which propose to refund income taxes that have already been paid into the Treasury of the United States. As a further justification and explanation of my action in objecting to the bills of some of my good friends in this House, I have prepared a bill to take care of the matter, and I ask unanimous consent to have the Clerk read it in my time.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

A bill to repeal the provisions of title 26, United States Code, sections 1046, 1065, 3321, and 3322, etc., providing for administrative refund by the United States Treasury Department of overpayments and illegal collections of income-tax assessments and to reduce the statute of limitations applying to suits in the United States courts for tax refunds to 1 year from the time the tax was paid.

*Be it enacted, etc.,* That hereafter in no case shall any refund of any overpayment of an income-tax assessment by any taxpayer be made by the Treasury Department or any subdivision thereof through administrative channels.

Sec. 2. Nothing in this act shall be construed to deny to any taxpayer recourse to the courts of the United States to recover any tax illegally collected. Such procedure, however, shall be the sole remedy for recovery of such overpayments.

Sec. 3. No action shall be brought in any court of the United States for the recovery of any illegally collected income-tax assessment unless the assessment shall have first been paid in full and formal protest filed with the collector at the time of payment setting forth the basis of the claims of overpayment.

Sec. 4. No action shall be allowed for the recovery of any such overpayment after 1 year after the date of the payment of the tax.

Sec. 5. Title 26, United States Code, sections 1046, 1065, 3321, and 3322, and any other acts inconsistent herewith are hereby repealed and superseded by this act.

#### THE TAXING POWER AND THE CONTROL OF INDUSTRY

Mr. GRAY. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. The gentleman from Indiana asks unanimous consent to address the House for 3 minutes. Is there objection?

Mr. MARTIN of Massachusetts. On what subject is the gentleman going to talk?

Mr. GRAY. I think I ought to emphasize before I leave the House two of the great powers that are vested in Congress by the Constitution.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRAY. Mr. Speaker, while men cannot longer openly and directly control government to take and exact from the people, they can and do secretly and indirectly control some of the great powers of the Government to take from the people their earnings and income. One of these great

powers of Government is the taxing power, the power to levy and collect taxes from the people, the power to take from the people, the power to go down in the people's pockets and take the money, take a part of their money, a part of their property, earnings and income, or, if need be, the power to take all of their money, property, wages, and income.

#### AN ABUSED POWER

While the taxing power is a necessary power, a necessary incident of government, necessary to enable the Government to live, and without which power the Government could not exist for a single day, yet it is one of the most abused powers of the Government, the power under which great advantage can be taken to burden the people and take from them their earnings and income, the fruits of their toil and labor. In this day and age a few men cannot organize an army, lay and levy a tribute upon the people, and take it from them by force of arms as in the days of old. But today a few men can organize a political machine and finance and supply money to that political machine and thereby gain control of a political party and through that political party gain control of the Government and the taxing power. And then they can levy a tribute upon the people in the name, color, and form of taxes and call all the forces of the Army and Navy and compel them to pay and take it from them.

#### DIRECT AND INDIRECT TAXES

Taxes are of two kinds, direct and indirect taxes. Direct taxes are taxes the people pay at the courthouse, taxes which they know just how much they are paying, how much of their wages, income, or money is being taken from them. Indirect taxes are taxes which the people do not pay at the courthouse but which they are paying all the time. Indirect taxes are mixed and mingled with the price and levied upon the necessities which the people must buy to live and in such way they cannot tell how much is price and how much is tax. They only know the high costs of living, they only realize the labor to live. Under this system of indirect taxation the people can be burdened, the people can be oppressed, the people can be impoverished, the people can be exhausted of their property, means, earnings, and income without knowing the cause of their distress.

The people are paying more indirect taxes, taxes hidden, covered, and concealed in the price, and of which they have no knowledge, than they are paying at the courthouse which they can see, realize, and know of, and which burdens them more than indirect taxes, because what they realize and know of burdens them more than what they know not of. If the people only knew, understood, and realized how much of their earnings was being taken from them, how much they were paying as indirect taxes of which they have no knowledge of the amount, how much of their toil and labor was going as hidden, indirect taxes, and how little of their earnings and income they were allowed to keep and use for themselves, they would give closer study to taxes and the tax problem. They would demand to know more of increasing costs, of the rising prices of the vital necessities of life, and whether going as taxes or tribute to monopoly, and if for taxes, how much and what for.

#### THE POWER TO DESTROY

But the taxing power includes more than the power to take from the people. It includes the power to destroy, the power to break down one business or industry, the power to build up another business or industry. It includes the power to destroy competition in business, the power to build up monopoly in business, and thereby to take from the people by and through extortionate and excessive profits. The taxing power has been used to destroy the poisonous phosphorus-match evil. It has been used to destroy the narcotic evil, and to destroy or control other great evils. It has been used by good men to destroy bad things, and it has been used by bad men to destroy good things. The taxing power is a great power for good or for evil accordingly as the power may be used and controlled by selfish men, by

private, greedy, selfish interests, or by humane patriotic men to conserve the public welfare.

#### THE SHIFT OF TAXES

Sometimes the people, staggering under the burdens of taxation, in righteous wrath and indignation, demand a tax law or system requiring an equal tax payment from individual men and corporations, assessed on intangible wealth as well as on tangible property, and secure its enactment into law. And, if by chance the statute runs the galling gantlet of the constitutional lawyers and the supreme courts, and the law is held valid and constitutional, and the tax is levied and assessed, then the certain special few upon whom the taxes will fall, in control of business and industry, production, transportation, and the distribution of the necessities of life and what the people create with which to live, with the power of a king, with a flourish of a despot, shift the tax back upon the people, assessed and levied upon the vital necessities of life, and makes the people pay the taxes which were assessed and levied for wealth and corporations to pay.

And when these two powers are combined, the taxing power with the economic or industrial power, the power to control business and industry, the power to control the supply and distribution of the vital necessities of life, and exerted under one and the same control, they become a hidden, covered and concealed, a crushing, menacing force, an irresistible monster moving in the darkness, a rival power defying the Government itself. While the great taxing power, together with economic industrial power, the power to control production and distribution of the vital necessities of life, both remain under one and the same control, there is no way provided under the power of the Government to enforce an equalization of the burdens of taxation. There is no way provided to enforce the levy and collection of equal taxes from men as individuals and less from corporations, capital, and wealth.

#### FORMER PRESIDENT COOLIDGE

I quote here from the Honorable Calvin Coolidge, former President of the United States, speaking upon another phase of taxation, but incidentally observing, as follows:

Taxing the rich to help the poor, the poor are not helped but hurt. Taxes have to be collected by the rich before they are paid. They are collected from all the people. A higher tax means real wages are lower. The costs of living are higher, the chance to work is less, every home is burdened, its value is decreased, the quality of the food, clothing, and shelter of the children is reduced.

This statement of the great former President is true and strongly and explicitly stated. I disagree with him only in one particular, as to the remedy. Instead of giving up the right to tax the rich because the rich compel the poor to pay it, I would search the Constitution, I would devise some means, method, or way whereby to tax the rich as well as the poor and to take the control of industry to tax the poor away from the rich and make the rich pay their own taxes.

#### DIFFERENT MEANS TO TAKE FROM PEOPLE

The people's earnings and income are taken from them in many different ways and by intricate, carefully considered, devised means and methods. What was taken from the people under despotic governments openly, with a brazen show of force, is now taken from them by stealth, artifice, and strategy under the intricate forms of specialized industry. What was once taken from the people as cringing serfs and subjects is now taken from them as dependent producers and helpless consumers. What was once taken from the people by kings, lords, and nobles, and the special ruling classes, is now taken from them by manipulating financiers and industrial monopolists. And what was once fair in love and war is now fair and honorable in business and industry in acquiring money and wealth.

#### THE KINGS OF OLD

The kings of old, as a class of men were the strong, shrewd, crafty, and resourceful—the men of mental power and vigor of their day, age, and generation. The great manipulating financiers, the industrial monopolists of today, are the same men only living in another age, only their operations have been transferred from open governmental



activity to secret governmental and open industry. They are the kings, lords, and nobles of today, and from their economic thrones they are ruling with more absolute power than ever Caesar wielded. They are taking greater tribute than ever King Pharaoh exacted from the Hebrews under bondage in Egypt, and from which they are living in greater luxury and splendor than ever King Croesus lived in his gilded palaces of Lydia, than ever Belshazzar dwelt in the hanging gardens of Babylon.

#### SELFISH HUMAN NATURE

If we could speak of Christ in his human temporal relations, in his character as a man among men, it could be said that Christ was possessed of all the supermental powers and vigor of the kings who have ruled and ruined, but was wholly devoid and without semblance of the selfish impulse leading other kings to bloodshed, murder, and human slaughter to win fame and glory, and to pillage and plunder in quest of wealth and riches. It is this abnormal selfish impulse which is leading the kings of today to close their strangle hold on the throats of helpless humanity, in want, suffering, panic, and depression, under which to exact their industrial tribute in their invasion of the human race and the subjugation of the wealth of the world. While Christ has waged in the mind, heart, and conscience, and has built His kingdom to endure for time and the ages, for the rule and reign upon the earth of peace and good will among men, the economic and industrial kings of today are waging their conquest of exploitation of the many—the masses, the multitude—fomenting economic anarchy, industrial revolt, and lending its chaos to the overthrow of the existing order of things.

#### WEALTH A WORTHY AIM

I hope in my zeal to state the facts I shall not misstate my position and appear as opposing—in opposition to men, because of property and wealth—because the acquisition of property and wealth is prompted from a high, worthy aim and purpose, from a laudable ambition and motive. It is not my aim, object, and purpose to oppose any man or class of men who work more, produce more, and have more. The men I am opposing, in opposition to, are the men who work less, produce less, and claim and take more. And I would not even say these men, because of great wealth, are bad men. I would not go as far as Christ in this. They are not bad men—that is, measured by the moral standards of business integrity and industry today. I would not say these men are at all to blame. There are many things to justify them; they are doing only what other men today would do under like conditions and opportunities, under like environment, associations, and surroundings. They are taking all they can take. Most men would do that today under the impulse of abnormal, perverted, and overdeveloped selfish human nature.

#### THE BURDENED TO BLAME

I would further say that the men they take from are themselves to blame. God gave them the impulse of self-defense, the instinct of self-preservation, not only for the defense of themselves alone, but of those who by nature are dependent upon them. And our forefathers shed their blood and gave up their lives on the battlefields of the Revolution all that the many, the masses, might be assured and fortified to protect and defend themselves from the certain special few, in their natural and inalienable rights to live upon the earth, to labor to live, and to take the fruits of their toil and labor. The people of ancient times under kings were helpless, disarmed, without weapons or opportunity, held in the iron grasp of relentless military power from which there was no extrication or escape.

The people of today, with all the weapons placed in their hands, allow themselves to be led, swayed by the artful appeals to prejudice, and fail to use the means provided them for their defense.

The people of today are armed with the secret ballot. The opportunity for defense is open; it is theirs to use and exercise at will—the right to petition and assemble; to organize and mobilize for concerted action; to exert their

united, combined strength and power. Their irresistible civil force and power is assured and guaranteed to them under the Constitution, written in the blood of martyred patriots and for which they fought and died. The down-trodden people of ancient times were not to blame; they were helpless. The people of today are to blame or, in a way, entitled to less sympathy. The people of today, under manipulating financiers and industrial monopolists, are held in subjection by strategy and subterfuge, by an artful appeal to prejudice, arraying them against each other to dissipate their strength and power in stupid conflict with each other and to exhaust and defeat themselves.

#### THE 10 CONTROLLING INDUSTRIES

Today a certain special few men, exerting the power of wealth and capital and by combinations in restraint of trade, are controlling industry and monopolizing production under a system of buying low and selling high. They are coercing the individual farmer to sell the products of the farm on a low-price level and to pay taxes and interest and fix charges and to buy his supplies and equipment on a high-price level. They are coercing the individual laboring man to sell his labor and services low and to buy back the necessities of life weighted with profits, excessive and high. And thereby exhausting the individual man of his earnings and income and his means and power to buy, take, and consume what industry produces. And day by day and year by year the rich are growing richer, the poor are growing poorer, millions are multiplying on one hand and mendicants increasing on the other, and the people are suffering want and destitution in the midst of plenty and great abundance.

#### VICTIMS OF THEIR OWN INVENTIONS

The inventive genius and skill of the individual laboring man have brought and developed the automatic labor-saving machine to take the place and relieve mankind from toil, drudgery, and exhausting labor, and to make possible for men to enjoy more leisure time, to cultivate the mind, to care for the body while enjoying greater comforts and conveniences and some of the luxuries of life. But the certain special few men, the shrewd, crafty, and resourceful, have appropriated to themselves and are using the machine to take both the profits of capital and the labor earnings of industry; and the individual laboring man is left to suffer a victim from his own inventions, to be crowded from employment and opportunity to labor to live, and deprived of earnings and income with which to buy, take, and consume what industry produces, threatening to make him a cast-off and denied the right and opportunity to exist even for the use and service of others.

#### MANIPULATING VALUES

Millions of dollars are annually taken from the earnings and income of the people, hidden and covered and concealed in mystical transactions and transfer operations, under the intricate forms of stocks and bonds and corporation holdings, long obsolete and of minimum value to industry. And by over- and fictitious-valuations, by watering corporation stocks and bonds to make one dollar draw dividends for many, and by shifting and manipulating values, excessive profits and dividends, levied upon the necessities of life which the people must use to live, are collected and taken from them without detection, hindrance, or protests. And the people are left buried in mystery, bewilderment, to realize only the high costs of living and the toil and drudgery of providing the necessities of life and the burden to carry in living, and to provide for those by nature dependent upon them.

#### INDUSTRIAL GAMBLING

Under the evils of our system of industry and lax industrial morals and lax law enforcement, against crimes violating industrial justice and right, all the necessities and comforts of life, and all the conveniences of life, and the 1,001 articles devised and produced to sooth, heal, and bless, are left exposed and subject to gambling, speculating operations, and to be held for ransom and the payment of excessive profits and burdensome charges. This is a system which will some day be looked back upon with as much revulsion

as prison for debt or involuntary servitude and the traffic in human beings.

Every gambling operation, whether in corporation stocks or bonds or on the grain or produce markets, and every speculative transaction where men make quick wealth and acquire sudden fortunes without creating or earning the wealth or property taken, robs the people of their earnings and income and of the means and power to take, use, and consume what industry produces. Because some men must pay for, some men must labor to produce, what the gambler or speculator takes and all of which is levied and collected from the ultimate consumers and is taken from their earnings and income. Wealth is not made or created suddenly, by magic, overnight, as the gambler makes it, as the speculator takes it, as the monopolist grasps and holds it. The creation of wealth and property is a slow, tedious, and laborious process, the fruits of painful toil and strenuous labor. It can be stolen or taken quickly by robbers, gamblers, and manipulators, but only time and toil can make it.

#### BURDENS UNDER NEW FORM

The immortal Shakespeare, speaking of the antagonisms and resentments of men, said that there was method in their madness. And there is premeditation and method in the mad, modern craze for money and riches. There is foresight and method; there are plans, preparation, and systems in the greedy, frenzied haste for quick wealth and swollen fortunes whereby to take from the people their earnings and income. And they are continuously inventing, preparing new plans and new methods to meet new and changed conditions, new forms of monopoly, new forms of gambling operations, new forms of speculative transactions, new means and methods to take from the people their earnings and income. History shows that men have struggled to throw off and extricate themselves from one imposition or evil only to find themselves suffering from the same burdens under other and different forms.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday next be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

#### THE PRIVATE CALENDAR

Mr. BYRNS. Mr. Speaker, there is a great demand for consideration of the Private Calendar. I ask unanimous consent that it shall be in order tomorrow, after the day's session, to move to take a recess until 7:30 o'clock p.m. for the consideration of bills on the Private Calendar unobjected to.

Mr. BLANTON. Mr. Speaker, I reserve the right to object. Will not the gentleman make that Wednesday and Thursday nights?

Mr. BYRNS. I cannot do that, because other gentlemen object to Wednesday.

Mr. BLANTON. I am one of those who does a lot of hard work on this calendar. I cannot be here tomorrow night, as I have already made other appointments, and I ask the gentleman to fix it for some other night.

Mr. BYRNS. It was my hope that the House would meet Tuesday and Thursday and have two night sessions for the consideration of this calendar.

Mr. BLANTON. I do not mind coming here at night on Wednesday and Thursday and Friday and Saturday, one or all of them, but I had made other appointments for tomorrow night and cannot be here then.

Mr. BYRNS. But other gentlemen object to Wednesday night.

Mr. BLANTON. Then I shall have to object to tomorrow night. Mr. Speaker, I object.

Mr. BYRNS. That is all right. I have made the request.

#### THE CONSENT CALENDAR

The SPEAKER. The Clerk will call the Consent Calendar.

#### BRIDGE ACROSS LAKE SABINE, TEX.

The Clerk called the first bill, H.R. 4870, to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There is no objection.

#### DECLARATION OF INTENTIONS

The Clerk called the next bill, H.R. 8317, to extend the validity of declarations of intention beyond 7 years.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### EXCHANGE OF LANDS IN NATIONAL FORESTS

The Clerk called the next bill, H.R. 3206, for the exchange of lands adjacent to national forests in Colorado.

The SPEAKER. Is there objection?

Mr. BLANCHARD. Mr. Speaker, I reserve the right to object. Are any private lands involved in this? Do they propose to exchange public lands for private lands?

Mr. MARTIN of Colorado. In connection with all these forest exchange bills now on the statute books, necessarily they involved the right of the Department of Agriculture to exchange forest lands for privately owned lands. There could not be any exchange unless private lands could be exchanged for Government lands. This law has worked satisfactorily in Montana and four other States for the past 5 years. My bill is an exact copy of the Montana bill which has been in effect for 5 years, without objection whatsoever.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. MARTIN of Colorado. I yield.

Mr. COCHRAN of Missouri. If this bill becomes law and the Government takes over this property, the Government is not going to be required to pay taxes as it did in the Oregon cases, is it?

Mr. MARTIN of Colorado. It is not.

Mr. BLANCHARD. Will the gentleman yield?

Mr. MARTIN of Colorado. I do.

Mr. BLANCHARD. This bill is very similar to the bills that we have passed, on the same subject, for other States, is it not?

Mr. MARTIN of Colorado. It is identical.

The SPEAKER. Is there objection?

Mr. ELTSE of California. Mr. Speaker, I object.

Mr. MARTIN of Colorado. Mr. Speaker, there was one objection to this bill previously, and I think three objections are required.

Mr. ELTSE of California. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. MARTIN of Colorado. Three objections are required.

Mr. JENKINS of Ohio. Reserving the right to object, will the gentleman permit that to be passed over without prejudice, and perhaps we can look over the matter and agree to it. Otherwise we will have to object.

Mr. MARTIN of Colorado. You think you can get three objections today, do you?

Mr. JENKINS of Ohio. Yes, we can get three.

Mr. MARTIN of Colorado. I wish some gentleman, in addition to objecting to this bill, would say why, and give some reason for objecting.

Mr. TRUAX. I will give the gentleman some reasons.

Mr. MARTIN of Colorado. The gentleman is going to give me some experience that he has had, I suppose.

Mr. TRUAX. Oh, yes.

Mr. BLANTON. Mr. Speaker, regular order.

The SPEAKER. Is there objection?

Mr. TRUAX. I object.

Mr. MARTIN of Colorado. I will consent to the passing over of this bill until one more unanimous-consent call of the calendar.



The SPEAKER. Is there objection to the request of the gentleman from Colorado, that the bill be passed over without prejudice?

There was no objection.

#### EXTENDING PROVISIONS OF FOREST EXCHANGE ACT OF MARCH 20, 1922

The Clerk called the next bill, H.R. 5368, to extend the provisions of the Forest Exchange Act of March 20, 1922 (42 Stat. 465).

Mr. ELTSE of California. Reserving the right to object, I call the attention of the gentleman from Ohio [Mr. TRUAX] to the fact that this bill is similar to the one just passed over, except that this applies to all forests.

I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### RADIO ACT OF 1927

The Clerk called the next bill, S. 2660, to amend the Radio Act of 1927, approved February 23, 1927, as amended (44 Stat. 1162).

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. ZIONCHECK]?

There was no objection.

#### EXPENSES OF REPRESENTATIVES TO ISTANBUL, TURKEY

The Clerk called the next resolution, House Joint Resolution 295, authorizing appropriation for expenses of representatives of United States to meet at Istanbul, Turkey, with representatives of Turkish Republic for purpose of examining claims of either Government against the other and for expense of proceedings before an umpire, if necessary.

Mr. BLANTON. Mr. Speaker, this is a \$90,000 junket to Turkey, as I consider it, and I object.

Mr. ELTSE of California. I object.

ANOTHER MEMBER. I object.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

Mr. BLANTON. No; we want to dispose of it now. This bill would take \$90,000 out of the Treasury, and, in my judgment, it would be wasted and is wholly unnecessary, and we have enough votes now to kill it, and we ought to dispose of it now. I object.

Mr. TRUAX. Reserving the right to object, in my judgment, we should take care of our own people at home before we take care of those in Turkey.

Mr. O'CONNOR. That is just what this bill does. Claims of American citizens are pending over there.

Mr. BLANTON. Well, Mr. Speaker, three objections have been made, which knocks the bill off the calendar.

Mr. TRUAX. Well, why should we not appoint a commission, then, to go to England, and France, and all the other defaulters?

Mr. BLANTON. Mr. Speaker, three objections have been made.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

Mr. ELTSE of California. I object.

Mr. HOEPEL. Mr. Speaker, I object.

#### MOUNT HOOD NATIONAL FOREST

The Clerk called the next bill, S. 1506, to amend the United States mining laws applicable to the Mount Hood National Forest within the State of Oregon.

Mr. ZIONCHECK. Reserving the right to object, will the gentleman explain the present status of the law and what change this bill will make?

Mr. DEROUEN. I shall be glad to. This is a Senate bill, which has already passed the Senate. It has to do with amending the mining law insofar as it concerns the Mount Hood National Forest only. It is a very desirable bill, because it is a protection to the miners and to the Government itself. The mining laws are frequently employed—

Mr. ZIONCHECK. Will the gentleman yield just there?

Mr. DEROUEN. I yield.

Mr. ZIONCHECK. What are the rights of the people who go upon the national forests now, as to mining and cutting off timber?

Mr. DEROUEN. That is corrected in this bill. It does not attempt to do that. It applies only to the Mount Hood National Park. That is all it does.

Mr. ZIONCHECK. Do I gather correctly that this bill provides that anyone who goes in there to mine can only cut off sufficient timber for mining purposes?

Mr. DEROUEN. That is correct.

Mr. ZIONCHECK. They cannot go in there generally and take off the timber?

Mr. DEROUEN. No. That is just for this purpose. That is correct.

Mr. ZIONCHECK. Mr. Speaker, I will withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That hereafter mining locations made under the United States mining laws upon lands within the Mount Hood National Forest in the State of Oregon shall confer on the locator the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however,* That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

Sec. 2. That hereafter all patents issued under the United States mining laws affecting lands within the Mount Hood National Forest within the State of Oregon shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Forest Service.

Sec. 3. That valid mining claims within the Mount Hood National Forest in the State of Oregon existing on the date of enactment of this act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of Oregon, may be perfected under this act, or under the law under which they were initiated, as the claimant may desire.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### UNITED STATES INDIAN SCHOOL AT GENOA, NEBR.

The Clerk called the next bill, H.R. 7241, to authorize the Secretary of the Interior to convey the lands and property used for the United States Indian school at Genoa, Nebr., to the State of Nebraska.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that Senate bill 2566, now on the Speaker's table, may be substituted for the pending House bill.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I note on page 2, line 19, the bill provides—

That as a condition precedent to this grant, Indians residing within the State of Nebraska will be accepted in State institutions on entire equality with persons of other races, and without cost to the Federal Government.

Mr. HOWARD. Mr. Speaker, I may say to the gentleman from Michigan that we propose to offer a committee amendment prepared by the Department which will make the bill satisfactory.

Mr. WOLCOTT. Mr. Speaker, I have prepared an amendment, which I think is necessary, providing not only as a condition precedent but that in consideration of this grant that the State take these children over.

Will the gentleman accept such an amendment?

Mr. HOWARD. I do not think that would be acceptable to the State or to the Department either. The amendment I intend to offer was prepared jointly by myself and the Department.

Mr. JENKINS of Ohio. Mr. Speaker, I ask that this bill be passed over at the present time, to be returned to later when the gentleman from Michigan and the gentleman from Nebraska have reached an agreement as to the proposed amendments.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### MAMMOTH CAVE NATIONAL PARK, KY.

The Clerk called the next bill, H.R. 4935, to amend the act of May 25, 1926, entitled "An act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes."

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object until we find out what the gentleman proposes to do.

Mr. CARY. I propose to ask unanimous consent to substitute the Senate bill for the pending House bill.

Mr. JENKINS of Ohio. Are the bills identical?

Mr. CARY. Yes.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, does this bill provide an allowance for the purchase of these lands to extend the park through the use of P.W.A. funds?

Mr. CARY. No; it does not. Practically all these lands were purchased with State funds. The State of Kentucky has expended \$1,500,000; and a few months ago the Legislature of Kentucky appropriated another \$250,000 to make the necessary additional purchases.

Mr. ELTSE of California. No application has been made for P.W.A. funds?

Mr. CARY. I do not know whether any application has been made or not. There are two C.C.C. camps located in this area and those boys are doing some work there.

Mr. ELTSE of California. Section 2 of the House bill provides that the Secretary of the Interior is authorized to accept donations.

Mr. CARY. Those are donations from the State of Kentucky; then there are some funds now in the hands of the Kentucky Park Commission representing receipts from these caves. The caves are producing about \$75,000 a year in the way of revenue. This park will be absolutely self-sustaining after the State of Kentucky has invested its money in it for the purpose of purchasing the lands which will be turned over to the Government and the proceeds used to operate the park.

Mr. ELTSE of California. Mr. Speaker, I withdraw my reservation of objection.

Mr. CARY. Mr. Speaker, I ask unanimous consent to substitute the bill S. 618 for the pending House bill.

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the second and third provisos of section 3 of the act of May 25, 1926, entitled "An act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes" be, and the same are hereby, amended to read as follows: "And provided further, That the minimum area to be administered and protected by the National Park Service shall be for the said Mammoth Cave National Park, 20,000 acres: *Provided further,* That no general development of said area shall be undertaken until a major portion of the remainder in such area, including all the caves thereof, shall have been accepted by said Secretary, and he shall have established a schedule of fees for admission to such caves."

SEC. 2. That in the establishment of the said Mammoth Cave National Park the Secretary of the Interior is hereby authorized to accept donations of money for the acquisition of lands and rights therein and to acquire the same by purchase, condemnation, or otherwise.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### UNITED STATES INDIAN SCHOOL AT GENOA, NEBR.

Mr. WOLCOTT. Mr. Speaker, the gentleman from Nebraska and I have discussed our respective amendments to the bill (H.R. 7241) relating to the Indian school at Genoa, Nebr.

Mr. Speaker, I ask unanimous consent to return to Calendar 163, to authorize the Secretary of the Interior to convey the lands and property used for the United States Indian School at Genoa, Nebr., to the State of Nebraska.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER. Without objection a similar Senate bill will be substituted.

There being no objection, the Clerk read the Senate bill as follows:

*Be it enacted, etc.,* That there is hereby granted to the State of Nebraska for institutional purposes the property known and designated as the "Genoa Indian School", located at Genoa, Nebr., such grant to include the land and buildings and such equipment as may be designated by the Secretary of the Interior: *Provided,* That this grant may be effective at any time prior to July 1, 1934, if before that date the Governor of the State of Nebraska on behalf of the State files an acceptance thereof with the Secretary of the Interior: *Provided further,* That the right is reserved by the Secretary of the Interior to retain until July 1, 1934, dormitory and other space needed for the housing and care of Indian pupils now accommodated at said school: *Provided further,* That as a condition precedent to this grant Indians residing within the State of Nebraska will be accepted in State institutions on entire equality with persons of other races, and without cost to the Federal Government.

(During the reading of the Senate bill the following occurred:)

Mr. JENKINS of Ohio. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JENKINS of Ohio. I do not quite understand the situation. I did not know that a Senate bill was to be substituted.

Mr. HOWARD. The committee amendment was prepared to be offered to the Senate bill.

Mr. JENKINS of Ohio. Then the understanding is that the gentleman will offer an amendment to the Senate bill?

Mr. HOWARD. Yes; the committee amendment.

Mr. JENKINS of Ohio. What would be the advantage of substituting a Senate bill if it must be amended?

Mr. HOWARD. The bill has already passed the Senate; it makes it much easier.

Mr. JENKINS of Ohio. Very well. It appears that these gentlemen understand each other. I do not quite understand it.

The Clerk concluded the reading of the bill.

Mr. HOWARD. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. HOWARD: On page 2, line 7, commencing with the word "and", strike out the balance of the line and all of line 8, and in lieu of the matter stricken out insert the following: "except that tuition of Indian children in public schools may be paid by the Federal Government: *Provided further,* That nothing herein contained shall be construed as affecting the right-of-way heretofore applied for by and agreed to be granted to the Loup River public power district in Nebraska across said school property, and an easement over the land falling within said right-of-way is hereby granted to said Loup River public power district in Nebraska upon proper identification thereof through survey."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### MEMORIAL AT OR NEAR OLD ST. LOUIS, MO.

The Clerk called the next resolution, House Joint Resolution 302, authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction, on the western bank of the Mississippi River at or



near the site of old St. Louis, Mo., of a permanent memorial to the men who made possible the territorial expansion of the United States, particularly President Thomas Jefferson and his aids, Livingston and Monroe, who negotiated the Louisiana Purchase, and to the great explorers Lewis and Clark, and the hardy hunters, trappers, frontiersmen, and pioneers and others who contributed to the territorial expansion and development of the United States of America.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, I understand that the gentleman from Missouri [Mr. COCHRAN] has a rule on this bill. I ask unanimous consent that it be passed over without prejudice under the rule.

Mr. COCHRAN of Missouri. May I say to the gentleman from California that this is a very important resolution and practically every Member west of the Mississippi River should be interested. This resolution seeks to create a commission to investigate the advisability of erecting a memorial in honor of the Louisiana Purchase and those responsible, Jefferson and others.

Mr. ELTSE of California. How much is this going to cost?

Mr. COCHRAN of Missouri. There is not a provision in the bill that carries one dollar of appropriation.

Mr. ELTSE of California. But this is the opening wedge.

Mr. COCHRAN of Missouri. I could not say that.

Mr. ELTSE of California. The gentleman stated the last time this resolution was up that it was the opening wedge.

Mr. COCHRAN of Missouri. I do not say that the Government at some future date might not be asked to contribute in part. It is to commemorate a national event of great importance. The Government should be interested in a matter of this kind.

Mr. ELTSE of California. Is not the gentleman willing to have the bill come up under the rule?

Mr. COCHRAN of Missouri. I think the resolution is so meritorious that it should be passed at this time by unanimous consent. We have precedent after precedent for the passage of resolutions of this character.

Mr. ELTSE of California. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

Mr. COCHRAN of Missouri. Mr. Speaker, I object to the request that the bill go over without prejudice.

The SPEAKER. Is there objection to the present consideration of the bill? Three objections are required.

Mr. JENKINS of Ohio, Mr. ELTSE of California, and Mr. TABER objected.

#### MONUMENT IN MEMORY OF COL. ROBERT INGERSOLL

The Clerk called the next resolution, House Joint Resolution 21, authorizing the erection in Washington, D.C., of a monument in memory of Col. Robert Ingersoll.

Mr. WOLCOTT, Mr. ELTSE of California, and Mr. JENKINS of Ohio objected.

Mr. KELLER. Mr. Speaker, I should like to have the gentlemen state their reasons for objecting.

Mr. WOLCOTT. I do not think that is necessary.

#### INTERSTATE LEGISLATIVE REFERENCE BUREAU

The Clerk called the next resolution, House Joint Resolution 19, to make available to Congress the services and data of the Interstate Legislative Reference Bureau.

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.,* That upon acceptance of the provisions of this joint resolution by the American Legislators' Association it shall be the duty of the Interstate Legislative Reference Bureau of such association, upon request therefor, to make its services and its indices, digests, compilations, bulletins, and other data available to either House of Congress, its committees, and Members, and to the Legislative Reference Service of the Library of Congress, and to act as a clearing house in making so available such data of the legislative reference bureaus of the several States and such data of other research agencies. For carrying out the purposes of this joint resolution there is hereby authorized to be appropriated for the fiscal year ending June 30, 1932, and for each fiscal year thereafter, the sum of \$40,000 to be expended by the American Legislators' Association for the maintenance of said Interstate

Legislative Reference Bureau; except that the amount appropriated for any fiscal year shall not be in excess of the aggregate amount provided by other sources for such purposes for such fiscal year and except that commencing with the fiscal year ending June 30, 1936, the amount appropriated for any fiscal year shall not be in excess of the aggregate amount that the several States have provided or obligated themselves to provide for such purposes for such fiscal year. The appropriations made pursuant to this joint resolution shall be disbursed by the Librarian of Congress.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FOREST GROVE, OREG.

The Clerk called the next bill, H.R. 7185, to authorize the purchase by the city of Forest Grove, Oreg., of certain tracts of public lands and certain tracts vested in the United States under the act of June 9, 1916 (39 Stat. 218).

Mr. TRUAX. Mr. Speaker, reserving the right to object, may I ask the author of this bill to explain just what it is?

Mr. MOTT. Mr. Speaker, this is a bill authorizing a municipality in Oregon to purchase Government land for the protection of its watershed. The land surrounding the city of Forest Grove is owned by the Government and it is mostly cut-over land. In order to protect their watershed they must get this all in one area and build a fence around the land.

Mr. TRUAX. The city is to provide the funds for the purchase of this land at \$2.50 per acre?

Mr. MOTT. That is correct.

Mr. TRUAX. I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to issue a patent, upon payment of \$2.50 per acre, or fraction thereof, to the city of Forest Grove, Oreg., for the northwest quarter of section 14, township 1 north, range 5 west, Washington County, Oreg., containing in the aggregate 160 acres subject to all valid existing rights at the time of the filing of the application by the city of Forest Grove.

Sec. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BOISE NATIONAL FOREST

The Clerk called the next bill, H.R. 7927, to add certain lands to the Boise National Forest.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, I notice in the report on this bill there is a statement that it is proposed to add 272,340 acres, of which approximately 95,000 acres are publicly owned. How is it proposed to acquire the balance of the land?

Mr. WHITE. Mr. Speaker, this land is necessary to consolidate the national forest in an area in order to protect the watershed of the capital city of Idaho, Boise. It is also necessary for the protection of the watershed for the vast irrigation district in the Boise Valley.

This has been through the Committee on Public Lands, and approved by them as well as by the Secretary of the Interior, Secretary of Agriculture, and memorialized by the Legislature of the State of Idaho. This is to permit the consolidation of this land by the Forestry Department. There is no money involved in the matter. There may be some land exchanges in different sections within the boundaries of the national forest.

Mr. BLANCHARD. I refer again to the statement in the report that only 95,000 acres of the 272,000 acres are publicly owned at the present time.

Mr. WHITE. The land referred to is not now within the national forest, and this will extend the national-forest boundaries so that consolidation and exchanges may be made between the privately owned land and publicly owned land.

Mr. BLANCHARD. Mr. Speaker, I do not see anything in the bill that permits exchanges. This must be a question of purchase.

Mr. WHITE. There is a clause in there which permits exchanges, because it is subject to a previous act which does permit these exchanges.

Mr. BLANCHARD. Mr. Speaker, I ask unanimous consent that the bill may go over without prejudice.

Mr. TRUAX. Will the gentleman yield to me before he makes that request?

Mr. BLANCHARD. I yield, Mr. Speaker.

Mr. TRUAX. I should like to ask the gentleman from Idaho how much of this land is publicly owned and how much is privately owned now?

Mr. WHITE. That is stated in the report.

Mr. BLANCHARD. Ninety-five thousand acres publicly owned out of a total of 272,340.

Mr. TRUAX. And under this bill the United States Government will purchase that land eventually?

Mr. WHITE. The Government will not purchase it, but will exchange other land for it. Under the terms of the law they are exchanging timber for the privately owned land and taking in new land that needs forest protection where there is new growth which requires such protection.

Mr. TRUAX. Is it exchanged on the same basis as the exchange embodied in the bill of the gentleman from Colorado, where the Secretary of the Interior would be authorized to transfer land now owned by the Government for other land without any appraisal body or any other agency?

Mr. WHITE. No; the exchanges proposed are the same exchanges now going on in the national forests under the operation of the general exchange act. This simply provides a boundary within which such exchanges will be permitted.

Mr. TRUAX. Who determines the value of the land that is to be exchanged?

Mr. WHITE. The Secretary of Agriculture through the officers of the Forest Service. They are the men who will determine this, and the State of Idaho, for the protection of irrigation districts and the protection of the Boise Watershed, has memorialized Congress to pass such legislation to protect these lands from the ravages of fire.

Mr. TRUAX. I may say to the gentleman from Idaho that I shall not object to his bill, but I want to ask the gentleman if he thinks it is good business policy for this Government to place all such authority in the hands of a Cabinet officer who must delegate this authority to some understrapper to go out and exchange land without any appraisal body or any other agency to protect the interests of the Government of the United States?

Mr. ZIONCHECK. Mr. Speaker, will the gentleman explain what he means by an "understrapper"?

Mr. TRUAX. I may say to the gentleman there are a lot of them in the Department of Agriculture and a good many of them are from Wall Street, United States of America. They are administering the Farm Relief Act. However, I have no objection to the gentleman's bill.

Mr. BLANCHARD. Mr. Speaker, I renew my unanimous-consent request that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### AMENDMENT OF SECTION 14 OF THE ACT OF MARCH 3, 1879

The Clerk called the next bill, H.R. 5334, to amend the third clause of section 14 of the act of March 3, 1879 (20 Stat. 359; U.S.C., title 39, sec. 226).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the third clause of section 14, act of March 3, 1879 (20 Stat. 359; U.S.C., title 39, sec. 226), is hereby amended by the addition of the following sentence: "Provided, That publications produced by the stencil, mimeograph, or hectograph process or in imitation of typewriting shall not be regarded as printed within the meaning of this clause."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FOREIGN MAIL SERVICE

The Clerk called the next bill, H.R. 7340, to authorize the Post Office Department to hold contractors or carriers transporting the mails by air or water on routes extending beyond the borders of the United States responsible in damages for the loss, rifling, damage, wrong delivery, depredations upon, or other mistreatment of mail matter due to fault or negligence of the contractor or carrier, or an agent or employee thereof.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, in reading over the bill it seems to me to be very far-reaching and to place a lot of arbitrary power in the hands of the Postmaster General, which he has not had heretofore.

Mr. ROMJUE. Mr. Speaker, the bill does not place any further power, but simply clarifies existing legislation.

Mr. ELTSE of California. May I ask the gentleman the purpose of having the first sentence on page 2, in view of the matter contained in the second?

Mr. ROMJUE. The present law, if the gentleman will permit, gives the Department this power except it is not as clear as it ought to be and the Post Office Department is continually in controversy and discussion as to liability.

This bill merely amends existing law by clarifying the language of the law.

The gentleman will observe that the present law states that the Postmaster General may impose or remit fines on contractors or carriers transporting the mails by air or water on routes extending beyond the borders of the United States for any unreasonable or unnecessary delay to such mails and for other delinquencies in the transportation of the mails.

This is present law and this bill clarifies the law and makes it definite and certain. The Postmaster General will only be able to serve the public better than ever before; his administration is one of public service and not power.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. ROMJUE. I yield to the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Where the mails are damaged due to the negligence of the contractor, the bill gives power to take care of that situation, which cannot be done under present law.

Mr. ELTSE of California. I should like to ask the gentleman from Pennsylvania why cannot that be done under the second sentence on page 2, with respect to such contractors or carriers? There is a general liability imposed there on account of failure to exercise due care.

Mr. KELLY of Pennsylvania. There is no provision of law now to make a contractor responsible for loss or damage in transit to mail due to his own negligence. This is simply a minor addition, which gives the Department power which we think rightly belongs to it.

Mr. ELTSE of California. Does the Postmaster General at the present time have power to impose and remit fines as provided in the lines at the top of page 2?

Mr. KELLY of Pennsylvania. Not for loss and damage to the mails in transit.

Mr. ELTSE of California. But he does have power to impose and remit fines with respect to other delinquencies?

Mr. KELLY of Pennsylvania. For delays, and so forth; yes.

Mr. ELTSE of California. I withdraw my reservation of objection, Mr. Speaker.

Mr. WOLCOTT. Reserving the right to object, I want to ask the gentleman a question. I notice Calendar No. 197, H.R. 7299, and from a hurried reading it would seem to include the same matter. What is the difference between the two?

Mr. ROMJUE. I think that bill involves the railroads and water transportation.

Mr. WOLCOTT. If the bill H.R. 7299 is passed is there any need of this bill being passed?

Mr. ROMJUE. If you wanted to incorporate the other bill into this you would only have another method of transportation.



The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### APPOINTMENT OF POSTMASTERS

The Clerk called the next bill on the calendar, H.R. 7083, to amend the provisions of laws relating to appointment of postmasters.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Reserving the right to object, this bill provides that the Postmaster General may, at the expiration of the term of a postmaster, appoint an acting postmaster. Heretofore, I understand, he has not had that authority. I do know that in many instances he has appointed acting postmasters at the expiration of the term. I should like to ask the chairman of the committee under what authority the Postmaster General has been making these appointments of acting postmasters at the expiration of the term of the postmaster?

The reason for asking the question is this: In the civil-service examination, which is held later on, experience is given a high rating, and it is almost inevitable that the person who is appointed acting postmaster, having had 4 or 5 months' experience, will be no. 1 man, and so the appointments are made not on the basis of merit but on political expediency.

Mr. BLANTON. I want to call the gentleman's attention to the fact that it has been the practice under Republican administration to have postmasters resign and appoint acting postmasters for the past 12 years. If the gentleman will examine many civil-service examinations, where the three eligibles did not happen to meet the requirements of the appointing power, the examination was obliterated, wiped out, and a new examination was held, and new examinations were continued to be held until there were three eligibles that met with the requirements.

Mr. MUSSELWHITE. I want to say that the Postmaster General has always had the authority to request a resignation at the expiration of the postmaster's term of service. If that resignation was not made, he could remove the postmaster for cause.

Mr. WOLCOTT. That is an answer to my question in one particular. What I should like to know is what authority the Postmaster General has in cases where there has been no resignation.

Mr. ROMJUE. I will tell the gentleman.

Mr. WOLCOTT. I might say in answer to the gentleman from Texas [Mr. BLANTON] that during the few years that I have been in Congress I have never known such an instance, but I do have in mind in my own particular town in 1921 a postmaster who had been appointed by a previous administration was allowed to hold over until his successor had qualified, but now it seems to be the practice to immediately appoint an acting postmaster.

Mr. ROMJUE. I think this is the situation. I have been in this House some time and have many friends here whose valuable public service I appreciate, but I will say this to the gentleman. He asks by what authority, and so forth. I want to give the gentleman all of the history of handling postmasterships in this country.

Mr. WOLCOTT. I should be glad to have the gentleman tell the history of it if by so doing he will answer my question.

Mr. ROMJUE. I shall do it in my own language and not in the gentleman's language; a Missourian speaks for Missouri and himself. I was here during Mr. Wilson's administration, the second administration, and I remember that Mr. Wilson put the postmasters of this country under civil-service regulations, and he made a regulation that the man who made the highest grade secured the appointment to the post office, without regard to politics or party service. I did not like that rule. In many ways I admired President Wilson, but I belong to the Andrew Jackson philosophy or rule.

Mr. WOLCOTT. That was an advisory regulation, was it not?

Mr. ROMJUE. I spoke a dozen times to Mr. Burleson, the Postmaster General. I told him I thought there ought to be a modification so that you could take one from the three highest in grade from an examination, and I said, "If we Democrats cannot get one out of three, we ought not to have the post office"; but Mr. Burleson stood fast, and in a number of instances Republican postmasters were appointed. For instance, in Brookfield, which was not then at that time in my district, one of the best post offices in northern Missouri was given to the Republicans, and, so far as I know, some Democrats there who now profess their democracy did not even object; and, as a matter of fact, the regulation ought to have been modified. I said then that I believed that the party in power ought to have the privilege of holding these responsible positions, and I still think so.

Mr. WOLCOTT. And may I say to the gentleman—and I refuse to yield longer—I hope the time will come when all of these postmasterships will be taken out of the spoils system.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. BLANTON. If Gen. Albert Burleson, a Texas man, ever put a Republican in office during a Democratic administration he made a mistake, and I do not approve of it; but we have learned something since then from our brother Republicans, and we are not going to put any more in if we can help it.

Mr. WOLCOTT. He may have made a political mistake, but the gentleman must admit that he had a good man in there if he appointed a Republican. I ask unanimous consent that the bill go over without prejudice.

Mr. HOEPEL. Mr. Speaker, will the gentleman defer that for a moment and yield to me?

Mr. WOLCOTT. Yes.

Mr. HOEPEL. In order to explain this bill. I introduced it. It is an economy measure. The Democrats want to save money for the taxpayers, and we are actually saving money for the Department. Under the present law when the term of office of a postmaster expires, unless he resigns it is necessary for the Post Office Department to summarily remove him. Now, when his term expires it is not necessary for the Post Office Department to carry on correspondence or spend a lot of money for telegrams threatening that it will remove him and ultimately effecting a removal. I ask the gentleman in the interest of economy to withdraw his objection.

The SPEAKER. Is there objection?

Mr. TRUAX. Mr. Speaker, I reserve the right to object. As I understand it, this bill is designed to make it possible for the Postmaster General to name immediately an acting postmaster.

Mr. ROMJUE. He may or he may not.

Mr. TRUAX. It is not mandatory?

Mr. ROMJUE. Not at all; it is optional and that is right.

Mr. TRUAX. Did this bill originate in the Post Office Department and has it the approval of Postmaster General Farley?

Mr. ROMJUE. It did not have its origin in the Post Office Department but it is approved by the Post Office Department. Postmaster General Farley is saving this Government and the taxpayers a vast amount of money and is deserving and receiving just credit therefor.

Mr. TRUAX. I ask the gentleman from California [Mr. HOEPEL] if he is the sponsor for official legislation from the Post Office Department? He says that he wants to take it out of politics. Under the present regulation it is possible for the Democratic Party to secure the appointment of a postmaster now and then. I should like to see them secure more. If this bill has the approval of the Postmaster General, Mr. Farley, I have no objection to it. If it does not have his approval, I object to the bill.

Mr. HOEPEL. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### HOURLY RATES OF PAY, SUBSTITUTE LABORERS, RAILWAY MAIL SERVICE

The Clerk called the next bill, H.R. 7213, to provide hourly rates of pay for substitute laborers in the Railway Mail Service and time credits when appointed as regular laborers.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 7 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, is amended by inserting after the fourth paragraph of such section (43 Stat. 1053; U.S.C., title 39, sec. 607) a new paragraph to read as follows:

"Substitute laborers in the Railway Mail Service shall be paid for services actually performed at the rate of 55 cents per hour, and when appointed to the position of regular laborer the substitute service performed shall be included in eligibility for promotion to grade 2 on the basis of 306 days of 8 hours constituting a year's service."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

#### NINTH PAN AMERICAN SANITARY CONFERENCE

The Clerk called the next business, Senate Joint Resolution 59, to provide for the expenses of delegates of the United States to the Ninth Pan American Sanitary Conference.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. I think some more time should be given to this bill. I have not been completely satisfied by reading the report that there is a particular necessity for the expenditure of this money. I do not want to say that it provides for a junket trip, until I am better informed.

Mr. McREYNOLDS. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. McREYNOLDS. I am sorry the gentleman has not had an opportunity to read the report thoroughly.

Mr. WOLCOTT. If the gentleman will withdraw that statement, I have read the report thoroughly and I said I had not been convinced from the report that there was any need for the appropriation of this sum.

Mr. McREYNOLDS. I am sorry I misunderstood the gentleman.

Mr. BLANTON. Mr. Speaker, I understand there are several Members here waiting, and I am going to ask for the regular order.

Mr. McREYNOLDS. Well, I object to the gentleman "butting in" on me and taking me off my feet this way.

Mr. BLANTON. I ask for the regular order, Mr. Speaker.

Mr. McREYNOLDS. The regular order is that I can answer the gentleman's question.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Regular order is demanded. Is there objection?

Mr. WOLCOTT. Reserving the right to object, I yield to the gentleman from Tennessee.

Mr. McREYNOLDS. I just want to say that this bill was reported out unanimously by the committee. It is considered very important for the health of this country. Secretary of State Hull recommends it very highly. It has the unanimous report of the committee. The gentleman from New York [Mr. FISH], sitting by the gentleman from Michigan, knows that. Mr. Hull, Secretary of State, says in this report:

I regard the work of these conferences and of the Sanitary Bureau as being highly meritorious in character and urge the approval of this relatively small expenditure for delegates to the Ninth Pan American Sanitary Conference, which is tentatively scheduled to meet in Buenos Aires in November 1934.

The main purposes of this conference are, first, to prevent the introduction of epidemic diseases from one American republic to another.

Second, it is to obviate the necessity for costly quarantines against infected ports which would operate against vessels and other common carriers and against passengers and their effects.

Third, it is to stimulate health authorities in all the American republics to greater effort in the eradication of disease.

It is purely on the ground of trying to protect the health of the people of this country from contagious diseases that come from South American countries.

Mr. WOLCOTT. I ask if the gentleman would object to passing this over for a short time until we have an opportunity to look into it a little bit, and perhaps we can get together?

Mr. McREYNOLDS. That is satisfactory.

Mr. TRUAX. Reserving the right to object, I should like to ask the gentleman from Tennessee how many delegates or representatives are included?

Mr. McREYNOLDS. Three. Surgeon General Cumming, I presume, will be one of them.

Mr. TRUAX. I notice in the report that the attendance at this conference is partly to prevent a contagion of yellow fever in this country?

Mr. McREYNOLDS. Yes.

Mr. TRUAX. Does not the gentleman think it might be more important to take notice now of the spread of amoebic dysentery that occurred in this country last year and is likely to occur again in a delegation of this sort?

Mr. McREYNOLDS. The gentleman has no objection to taking all means to prevent that, of course, but that is not before this House any more than the gentleman's farm bill is before the House.

Mr. TRUAX. Well, my farm bill ought to be before the House.

Mr. FISH. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. FISH. Is it not a fact that we made a commitment or a quasi-commitment at the Havana Conference to do our part to participate and help prevent the spreading of this disease from one nation to another?

Mr. McREYNOLDS. That is in the agreement of November 14, 1924.

Mr. FISH. Of course, it being a Republican agreement, the gentleman, of course, will agree to that?

Mr. BLANTON. Will the gentleman yield? Has the distinguished gentleman from New York [Mr. FISH], who has been an active member of the Committee on Foreign Affairs for many years, ever checked up the number of junkets that the various officials of the State Department take every year to almost every foreign country in the world? If the gentleman has not done so, he should do so, and he will find some very enlightening information.

Mr. FISH. What I am complaining about is that I have been on that committee for 14 years, and nobody has yet asked me to go on a junket.

Mr. BLANTON. I am talking about officials in the State Department. There are more of them junketing every year than from any other department in the Government. I have been checking up on them for 15 years.

Mr. FISH. I cannot talk as fast as the gentleman can. Let me say to the gentleman from Texas that under the distinguished leadership of the great Democrat from Tennessee [Mr. McREYNOLDS] we have not had any more of this legislation, so I think the gentleman should be kind-hearted and let this little bill of only \$3,000 go through.

Mr. BLANTON. I was watching it when our good friend from Pennsylvania [Mr. PORTER] was chairman of the committee. I was watching it when the distinguished gentleman from Massachusetts [Mr. ROGERS] was in charge of the committee. I have been watching it for 15 years. And I know what these repeated junkets by the State Department have cost the Government.



Mr. FISH. Oh, but you have brought about a change of policy. Now we have an entirely new deal—no more junkets.

Mr. BLANTON. That is a fact, these junkets must stop. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. TRUAX. Reserving the right to object, I want to ask a question. Has anyone here, particularly the gentleman from New York, who knows there are thousands of undernourished babies in his great city—has anyone here the figures as to how many quarts of milk this \$9,000 would buy to take care of those babies?

Mr. BLANTON. It is only \$3,000; but this \$3,000 every year, added to the many other State Department junkets, aggregates quite a large sum annually. One bill on this calendar asks for \$90,000 for a junket to Turkey.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Wolcott]?

There was no objection.

#### MOTOR VEHICLES SEIZED FOR VIOLATION OF CUSTOMS LAWS

The Clerk called the next bill, H.R. 7302, to authorize the Postmaster General to receive, operate, and to maintain for official purposes, motor vehicles seized for violation of the customs laws.

The SPEAKER pro tempore (Mr. McREYNOLDS). Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, it has been the policy of the Committee on Appropriations not to furnish motor-propelled passenger-carrying vehicles for the Post Office Department. This bill would entirely change the program. It provides for just such service in the Post Office Department. I see our good friend, the able Chairman of the Committee on Appropriations, the gentleman from Texas [Mr. BUCHANAN], in the Chamber. I should like to ask him just what he thinks of this bill as affecting the policy of the Committee on Appropriations?

Mr. BUCHANAN. I say to my colleague that I do not think it ought to be passed.

Mr. BLANTON. Then, Mr. Speaker, I object.

Mr. ROMJUE. Mr. Speaker, will the gentleman reserve his objection?

Mr. BLANTON. Mr. Speaker, I intend to object, but I reserve my objection and yield to the Chairman of the Committee on Appropriations, so that he may state his views.

Mr. ROMJUE. That is all right in a way, but I want to ask the Chairman of the Appropriations Committee a question or two myself. The gentleman from Texas [Mr. BUCHANAN] states that he does not think this a good policy. This bill has the approval of the Post Office Committee and of the Post Office Department. Mr. Farley generally knows what he is doing and is in close touch with Mr. Roosevelt. The Chairman of the Committee on Appropriations no doubt is aware of the fact that both the Treasury Department and the Department of Justice or State Department have this same privilege now.

Mr. BUCHANAN. Which ought to be taken away from them.

Mr. ROMJUE. Possibly that answers the question; I do not think so. The gentleman states that it ought to be taken away from them, yet he has never protested against it. Why did he not do so, or why can he give the privilege to one department and deny it to another?

Mr. BUCHANAN. The matter has never come before me for attention.

Let me say to the gentleman from Missouri that the Government has never provided passenger automobile service for the rural service of the Post Office Department. It has provided passenger automobile service in the District, but never in the country.

If we allow the taking-over of automobiles condemned for the violation of certain laws, we will get passenger automobile service throughout the Postal Service of the country,

and the appropriation it will eventually involve will be enormous.

Another thing, if we take over these condemned second-hand cars, the upkeep will be too high and appeals for new cars will be made to the Appropriations Committee because the cost of the upkeep of these condemned cars is too expensive.

Mr. BLANTON. And this bill authorizes the Post Office Department to pay off mortgages existing against the cars it takes over.

Mr. BUCHANAN. Certainly. The bill also provides that the appropriation for the maintenance of cars shall be available to pay for the seizure and condemnation proceedings on these cars. It provides, further, that it shall be available to pay any liens on these cars, thus transferring the expenses of the Customs Service to the Post Office Department in condemnation proceedings on the cars, incurring additional bookkeeping and accounting, and rendering accurate estimates and appropriations impossible.

Mr. ROMJUE. It costs nothing for these cars. They should be used in Government service when it costs nothing.

Mr. BLANTON. I object to the bill, Mr. Speaker.

#### SALE OF TIMBER ON QUINAUT INDIAN RESERVATION

The Clerk called the next bill, H.R. 8494, to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on the Quinault Indian Reservation when it is in the interest of the Indians so to do.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That the Secretary of the Interior, with the consent of the Indians involved, expressed through a regularly called general council, and of the purchasers, is hereby authorized and directed to modify the terms of now-existing and uncompleted contracts of sale of Indian tribal timber on the Quinault Indian Reservation in the State of Washington: *Provided*, That any such modifications shall be upon the express condition that said purchaser shall forthwith proceed to operate under all the terms of said contract as modified or suffer forfeiture of such contract and collection upon bond: *And provided further*, That any modification of said contracts shall stipulate that in the event of sufficiently improved economic conditions the Secretary of the Interior with the consent of the said general council is authorized and directed, after consultation with the purchasers and the Indians involved and after 90 days' notice to them, to increase stumpage prices of timber reduced in any such modified contract: *And provided further*, That hereafter no contract of sale of Indian timber on the Quinault Indian Reservation in Washington shall be entered into without the consent of the said general council.

Sec. 2. The Secretary of the Interior may modify existing contracts between individual Indian allottees or their heirs and purchasers of their timber, under the terms and requirements of section 1 of this act, with the consent of the allottee or his heirs.

Sec. 3. In all such modified contracts the purchasers of Indian timber on tribal lands or on restricted or trust allotments in all operations pertaining to the logging and manufacturing of said timber shall be required to give preference to the employment of Indian labor.

With the following committee amendments:

Page 1, line 6, strike out the words "and directed."

Page 2, line 7, strike out the words "and directed."

Page 2, line 12, after the word "Indian", insert the word "tribal."

The committee amendments were agreed to.

Mr. SMITH of Washington. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Washington: Page 2, after line 24, insert a new section as follows:

"Sec. 4. That any modification of the contract with the Ozette Railway Co. shall stipulate that that company shall haul logs of other timber owners on its railroad line, as freight, for such other owners with its ordinary equipment and at reasonable charges when such logs are tendered to it at places on its railroad line designated by such company, and its railroad shall be, and become, a common carrier railroad and be extended to the Hoh River and be a common carrier railroad for its entire length."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POST OFFICE INSPECTORS AND CHIEF CLERKS, RAILWAY MAIL SERVICE

The Clerk called the next bill, H.R. 6675, to authorize the acknowledgment of oaths by post-office inspectors and by chief clerks of the Railway Mail Service.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That post-office inspectors are empowered and authorized with like force and effect as officers having a seal to administer oaths required or authorized by law or regulation promulgated thereunder in respect of any matter coming before them in the performance of their official duties and likewise oaths to accounts for travel or other expenses against the United States, but no compensation or fee shall be demanded or accepted for administering any such oaths. Chief clerks and assistant chief clerks in the Railway Mail Service are required, empowered, and authorized, when requested, to administer oaths to employees on appointment or promotion and to accounts for travel or other expenses against the United States with like force and effect as officers having a seal: *Provided*, That for such service no charge shall be made and no fee or money paid for such service shall be paid or reimbursed by the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOTTERIES

The Clerk called the next bill, H.R. 7023, to amend section 213, United States Penal Code, as amended.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I am not going to object and I hope no other Member will object to the bill.

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman from Ohio a question. Is the gentleman in favor of lotteries?

Mr. TRUAX. No; the gentleman is in favor—

Mr. BLANTON. First, I should like to ask the gentleman if the gentleman is in favor of Government lotteries?

Mr. TRUAX. I insist on answering the gentleman's first question and answering it in my own way. That is the way the gentleman from Texas always answers questions asked of him.

Mr. BLANTON. Then I should like to ask the gentleman this—

Mr. TRUAX. No; that is not satisfactory.

Mr. BLANTON. Mr. Speaker, I object to the bill. I am against all lotteries.

Mr. TRUAX. Mr. Speaker, if the gentleman will withhold his objection, I will answer him.

Mr. BLANTON. No. I object to this bill which recognizes lotteries as lawful. I am against all kinds of lotteries.

Mr. TRUAX. I am not. I am for the American Legion, the Eagles, the Moose—

Mr. BLANTON. I am for the American Legion and fraternal organizations also, but I am against lotteries. Mr. Speaker, I object.

THE POSTAL SERVICE

The Clerk called the next bill, H.R. 7711, to permit postmasters to act as disbursing officers for the payment of traveling expenses of officers and employees of the Postal Service.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That those parts of the acts of May 4, 1882 (22 Stat. 54), July 5, 1884 (23 Stat. 156), July 28, 1916 (39 Stat. 418), and June 3, 1924 (43 Stat. 356), which are incorporated in section 50 of title 39 of the United States Code are amended to read as follows:

"Postmasters may be designated by the Postmaster General as disbursing officers for the payment of mail messengers and others engaged under their supervision in transporting the mails. He may also designate postmasters at Presidential post offices as disbursing officers for the payment of the salaries of the officers and employees of the Postal Service concerned in the transportation of mails or in their distribution in transit, and for such other payments as they are authorized to make from postal revenues, and he may designate postmasters at money-order post offices as disbursing officers for the payment of the salaries and traveling expenses of officers and employees of the Postal Service, and for such other payments as postmasters are authorized to make from postal revenues."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINING CLAIMS IN UNITED STATES AND ALASKA

The Clerk called the next bill, S. 2313, providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, I have an amendment here that will cut down the size of the claims that will be exempted from improvement or assessment work; and unless the amendment is accepted, I shall object. The amendment merely cuts down the size of the claims that will come within the exemption.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States, including Alaska, during the year beginning at 12 o'clock m. July 1, 1933, and ending at 12 o'clock m. July 1, 1934: *Provided*, That the provisions of this act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1933: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock m. July 1, 1934, a notice of his desire to hold said mining claim under this act, which notice shall state that the claimant or claimants were entitled to exemption from the payment of a Federal income tax for the taxable year 1933: *And provided further*, That such suspension of assessment work shall not apply to more than six mining claims held by the same person nor to more than twelve mining claims held by the same partnership, association, or corporation.

Mr. ZIONCHECK. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. ZIONCHECK: On page 2, line 13, insert, after the word "six", the word "lode", and in line 14, after the word "twelve", insert the word "lode."

In line 15, strike out the period at the end of the line and insert in lieu thereof a colon and the following: "*And provided further*, That such suspension of assessment work shall not apply to more than 6 placer mining claims, not to exceed 120 acres in all, held by the same person nor to more than 12 placer mining claims, not to exceed 240 acres, held by the same partnership, association, or corporation."

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, may I ask the gentleman what was inserted before the figures 6 and 12.

Mr. ZIONCHECK. The amendment provides that the restrictions on the placer claims will be made in line with the lode claims.

Mr. ELTSE of California. What was the word that was inserted?

Mr. ZIONCHECK. Lode. For the further information of the Members, may I say it seems that it was possible for an association or group of 8 people to file 1 joint claim on 160 acres, and under the wording of this bill it is possible to exempt 12 such claims, or a total of 1,920 acres. That permits a large mining company to hold a lot of mines without putting improvements in them. This amendment merely provides that large companies may not take advantage over the small ones.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POST-OFFICE BUILDING SITE, FINDLAY, OHIO

The Clerk called the next bill, H.R. 8909, to authorize the Secretary of the Treasury to amend the contract for sale of post-office building and site at Findlay, Ohio.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to agree to an amendment to the existing contract between the city of Findlay, Ohio, and the United States



of America for the sale of the old post-office site and building at Findlay, Ohio, for the sum of \$50,000, negotiated on the basis of one fourth cash and the balance in equal installments payable in 3, 6, 9, and 12 months with interest on deferred payments payable quarterly at 5 percent per annum; the amended contract to provide that payment may be made in five annual installments of \$10,000 each, with interest at the rate of 5 percent per annum on the unpaid balance: *Provided*, That such extension of time for payment shall be effective upon date of execution of amended contract between the city of Findlay and the United States of America:

With the following committee amendment:

Page 2, line 7, at the end of the line insert "*Provided further*, That the provisions of the original contract between the city of Findlay, Ohio, and the United States of America shall not be modified, except as herein specified."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FEE FOR DOMESTIC REGISTERED MAIL

The Clerk called the next bill, H.R. 7301.

Mr. TRUAX. Mr. Speaker, reserving the right to object, may I ask the author of the bill for a brief statement on the merits of the bill, and as to whether or not this has been approved by Postmaster General Farley?

Mr. MUSSELWHITE. It is approved by the Post Office Department Administration.

Mr. TRUAX. What is that?

Mr. MUSSELWHITE. It was drafted at their request.

Mr. TRUAX. By what official?

Mr. MUSSELWHITE. By the Postmaster General and all his assistants.

Mr. TRUAX. I notice in connection with some of the Post Office bills the name of the Solicitor General, Carl Crowley, of Texas, a gentleman for whom I have the highest respect. His signature has been attached to the statement in connection with many of these bills, but there is no signature on the report I have on this bill. It simply says it was further endorsed by the Solicitor for the Post Office Department in his letter of February 13 addressed to the committee.

Mr. MUSSELWHITE. The bill was drafted at the request of the Department and was in conformity with their suggestion. It is purely a technical bill intended to liberalize delivery of the mail and to get paid for the services rendered.

Mr. TRUAX. How does it liberalize the present regulations when it charges an additional fee of 10 cents for effecting the delivery of registered, insured, or collect-on-delivery mail?

Mr. MUSSELWHITE. This is to pay for the extra cost which is caused by sometimes three or four trips in order to make delivery of a letter where they cannot find the addressee the first time.

Mr. ZIONCHECK. Will the gentleman yield?

Mr. TRUAX. I yield to the gentleman from Washington.

Mr. ZIONCHECK. I think the purport of the bill is that a registered letter can be delivered at the home of a person without delivering it to him personally. The letter may be delivered to anyone else living there; but if you address it so that it has to be delivered to the one person only, or may not be delivered at his order, then the postman must come there several times.

Mr. TRUAX. This bill states "to charge an additional fee for effecting delivery of domestic registered, insured, or collect-on-delivery mail." This includes all classes.

Mr. ZIONCHECK. No; only where it has to be delivered directly to the addressee.

Mr. ROMJUE. This simply means that where you want a letter to go to a specified person and no one else, this fee is to be charged.

Mr. TRUAX. I may say to the gentleman that I personally am opposed to any further increase in the postal rates. I think we ought to reduce the postal rate from 3 to 2 cents, and I do not think we should charge any more for delivering a letter.

Mr. BLANTON. Suppose I addressed a registered letter to the gentleman in Washington from myself in Texas. I could register it for 18 cents with receipt demanded. It goes to your office; and if you are not there, it is delivered to your secretary and your secretary signs for it; but suppose you put on the letter that it must be delivered to you, Mr. TRUAX, in person, and the messenger has to go to your office five times, do you not think that is worth the little 10 cents extra that this bill provides? That is all on earth that the bill provides.

Mr. TRUAX. Is not the delivery man on a salary?

Mr. BLANTON. There are lots of them on a piece basis, and they get so much for delivering a letter or package. It is an extra expense to the Government, and I think this is as little as we could expect.

Mr. ROMJUE. And it costs no one anything except the person who wants the service and wants to pay for it.

Mr. TRUAX. And that is the man I do not want to be required to pay any more. The Postmaster General has said that under the 3-cent rate and the air-mail rates the Budget will be balanced and there will be no deficit, and there is nothing in the report over anybody's signature in that Department to show that they are asking for this legislation.

Mr. BLANTON. I think it is a service that is well worth the 10 cents extra.

Mr. ZIONCHECK. And the person who sends the letter will determine whether he pays the additional 10 cents or not.

Mr. ELTSE of California. Mr. Speaker, regular order.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. COCHRAN of Missouri. Mr. Speaker, there is not a more meritorious bill on this calendar today, and I do not think there are three men in the House who would object to the measure. I therefore object to the gentleman's request that the bill go over, so that the next time three objections will be required. If the gentleman wants to object to its consideration today, let him object to it.

Mr. TRUAX. Mr. Speaker, I object. I asked that the bill be passed over without prejudice, but the gentleman from Missouri objected to that request.

Mr. COCHRAN of Missouri. If the bill were passed over without prejudice today, the gentleman could prevent its consideration 2 weeks from today by a single objection, and I am not going to let the gentleman do that. Two weeks from today three objections will be required. I do not think three Members of this House will object to a bill that is fair to all and one that will help the Department get out of the red.

The SPEAKER pro tempore. Objection is heard.

#### CHIEF CLERK OF RAILWAY MAIL SERVICE

The Clerk called the next bill, H.R. 7343, to remove inequities in the law governing eligibility for promotion to the position of chief clerk in the Railway Mail Service.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. DOBBINS. Mr. Speaker, will the gentleman reserve his request a moment?

Mr. BLANTON. Mr. Speaker, I object to the bill. That is the quickest way to dispose of the matter.

#### ADMINISTRATIVE FURLONGHS IN THE POSTAL SERVICE

The Clerk called the next bill, H.R. 9046, to discontinue administrative furloughs in the Postal Service.

Mr. BLANTON. Mr. Speaker, I object.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman reserve his objection? Every man in the Postal Service is in favor of this bill.

Mr. BLANTON. I object, Mr. Speaker.

#### RESPONSIBILITY OF MAIL CONTRACTORS

The Clerk called the next bill, H.R. 7299, to authorize the Post Office Department to hold contractors responsible in damages for the loss, rifling, damage, wrong delivery, depredation upon, or other mistreatment of mail matter due to

fault or negligence of the contractor or an agent or employee thereof.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, I ask unanimous consent that the bill be passed over without prejudice. It is a very involved measure, and I want to give it further study.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### RESPONSIBILITIES OF RAILROAD COMPANIES CARRYING THE MAILS

The Clerk called the next bill, H.R. 7392, to authorize the Post Office Department to hold railroad companies responsible in damages for the loss, rifling, damage, wrong delivery, depredation upon, or other mistreatment of mail matter due to fault or negligence of the railroad company or an agent or employee thereof.

Mr. ROMJUE. Mr. Speaker, at the request of the chairman of the committee I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### OBSELETE INDIAN LAWS

The Clerk called the next bill, H.R. 7600, repealing certain sections of the Revised Code of Laws of the United States relating to the Indians.

There being no objection, the Clerk read a similar Senate bill (S. 2671) as follows:

*Be it enacted, etc.,* That the following sections of title 25 of the Revised Code of Laws of the United States be, and they are hereby, repealed: Sections 171, 172, 173, 186, 219, 220, 221, 222, 223, 224, 225, and 226.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill were laid on the table.

#### ADDITIONS OF CERTAIN LANDS TO THE OCHOCO NATIONAL FOREST, OREG.

The Clerk called the next bill, S. 285, to authorize the addition of certain lands to the Ochoco National Forest, Oreg.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That the following described public lands are hereby included in and made a part of the Ochoco National Forest, Oreg., subject to all the laws and regulations applicable to national forests, but such inclusion shall not affect any entry or vested rights acquired under the public land laws prior to the passage of this act: The west half southeast quarter, and the southwest quarter section 7; the southwest quarter northeast quarter, the northwest quarter northwest quarter, the south half northwest quarter, the north half southwest quarter, the southeast quarter southwest quarter, the north half southeast quarter, and the southwest quarter southeast quarter section 17; the north half northeast quarter, the southwest quarter northeast quarter, the west half southeast quarter, and the west half section 18; and all of section 19; all in township 13 south, range 24 east, Willamette meridian.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### TRANSFER OF CERTAIN LANDS IN HAWAII TO THE TERRITORIAL GOVERNMENT

The Clerk called the next bill on the calendar, H.R. 8235, to authorize the Secretary of the Interior to convey by appropriate deed of conveyance certain lands to the District of Ewa, island of Oahu, Territory of Hawaii.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to convey to the Territory of Hawaii lands in the District of Ewa, island of Oahu, Territory of Hawaii, described as follows, to wit:

Beginning at a point designated as "C" on map dated November 15, 1920, United States Engineer Department, file no. 300.8, between the boundary of Honouliuli and Pouhala Mauka, the coordinate of said point referred to the United States concrete monument no. 1, on the north side of Kawaleli Gulch at the

corner of the lands of Waianao Uka, Honouliuli, and Pouhala Mauka, being 2,309.11 feet south and 555.02 feet east (said United States concrete monument no. 1 bears true azimuth to the following triangulation stations: Mail, 139° 46'; Maunauna, 47° 5' 54''), said line thence running by direct azimuths and distances as follows:

1. Sixteen degrees nine minutes two thousand five hundred forty-nine and two-tenths feet, the right-of-way extending 20 feet on each side.
2. Six degrees fifty-four minutes one hundred eighteen feet, the right-of-way extending 20 feet on each side.
3. Six degrees fifty-four minutes three hundred feet, the right-of-way extending 40 feet on each side.
4. Six degrees fifty-four minutes four hundred feet, the right-of-way extending 20 feet on each side.
5. Six degrees fifty-four minutes three hundred feet, the right-of-way extending 25 feet on each side.
6. Six degrees fifty-four minutes one thousand seven hundred and thirty-one feet, the right-of-way extending 20 feet on each side.
7. Eleven degrees fifteen minutes sixty-nine feet, the right-of-way extending 20 feet on each side.
8. Eleven degrees fifteen minutes three hundred and fifty feet, the right-of-way extending 22 feet on each side.
9. Eleven degrees fifteen minutes one hundred and seventy-five feet, the right-of-way extending 35 feet on each side.
10. Eleven degrees fifteen minutes two hundred feet, the right-of-way extending 22 feet on each side.
11. Eleven degrees fifteen minutes one hundred and fifty feet, the right-of-way extending 50 feet on each side.
12. Eleven degrees fifteen minutes one hundred sixty and nine-tenths feet, the right-of-way extending 22 feet on each side.
13. Nine minutes one hundred sixty-four and one-tenth feet, the right-of-way extending 22 feet on each side.
14. Nine minutes six hundred feet, the right-of-way extending 20 feet on each side.
15. Nine minutes two hundred and thirty feet, the right-of-way extending twenty-five feet on each side.
16. Seven degrees fifty-nine minutes two hundred and twenty feet, the right-of-way extending twenty-five feet on each side.
17. Seven degrees fifty-nine minutes three hundred and fifty feet, the right-of-way extending 50 feet on each side.
18. Seven degrees fifty-nine minutes seven hundred feet, the right-of-way extending 20 feet on each side.
19. Seven degrees fifty-nine minutes two hundred feet, the right-of-way extending 22.5 feet on each side.
20. Seven degrees fifty-nine minutes two hundred seventy-four and two-tenths feet, the right-of-way extending 30 feet on each side.
21. On curve to left for a distance of 362.78 feet; having a radius of 352.69 feet, central angle being 59° .08' and long chord having a length of 348.06 feet; the right-of-way extending 20 feet on each side.
22. Three hundred and eight degrees fifty-one minutes three hundred feet, the right-of-way extending 20 feet on each side.
23. On curve to right for a distance of 378.63 feet, having a radius of 487.79 feet, central angle being 44° 33' and long chord having a length of 369.8 feet, the right-of-way extending 20 feet on each side.
24. Three hundred and fifty-three degrees twenty-four minutes eight hundred eighty-four and four-tenths feet, the right-of-way extending 20 feet on each side.
25. Three hundred and fifty-three degrees twenty-four minutes sixteen and five-tenths feet, the right-of-way extending 25 feet on each side.
26. On curve to left for a distance of 385.3 feet, having a radius of 596.497 feet, central angle being 37° .03' and long chord having a length of 379.04 feet; the right-of-way extending 20 feet on each side.
27. Three hundred and sixteen degrees twenty-one minutes sixty-six and four-tenths feet, the right-of-way extending 20 feet on each side.
28. On curve to right for a distance of 715.84 feet, having a radius of 646.838 feet, central angle being 63° 23' and long chord having a length of 630.43 feet; the right-of-way extending 25 feet on the west side and 20 feet on the east side.
29. Nineteen degrees forty-nine minutes five hundred seventy-one and seven-tenths feet, the right-of-way extending 20 feet on each side.
30. Nineteen degrees forty-nine minutes three hundred feet, the right-of-way extending 50 feet on each side.
31. Nineteen degrees forty-nine minutes three hundred feet, the right-of-way extending 30 feet on each side.
32. Nineteen degrees forty-nine minutes six hundred feet, the right-of-way extending 20 feet on each side; from this point the azimuth and distance to a granite monument being 529° 41' 36.5 feet, said monument being a corner of the land Hoaeae adjoining Honouliuli.
33. Twenty-one degrees fifty-one minutes four hundred feet, the right-of-way extending 20 feet on each side.
34. Twenty-one degrees fifty-one minutes three hundred and fifty feet, the right-of-way extending 30 feet on each side.
35. Twenty-one degrees fifty-one minutes two hundred eighty-nine and one-tenth feet, the right-of-way extending 50 feet on each side.



36. On curve to left for a distance of 362.43 feet, having a radius of 351.269 feet, central angle being  $59^{\circ} 19'$ , and long chord having a length of 347.66 feet; the right-of-way extending 30 feet on the west side and 20 feet on the east side.

37. On curve to right for a distance of 474.834 feet, having a radius of 380.543 feet, central angle being  $35^{\circ} 51'$ , and long chord having a length of 445.742 feet; the right-of-way extending 30 feet on the west side and 20 feet on the east side.

38. Thirty-four degrees fourteen minutes five hundred and ten feet, the right-of-way extending 20 feet on each side.

39. On curve to left for a distance of 387.37 feet, having a radius of 629.136 feet, central angle being  $35^{\circ} 19'$ , and long chord having a length of 381.63 feet; the right-of-way extending 20 feet on each side.

40. Three hundred and fifty-eight degrees fifty-five minutes nine hundred twenty-seven and five one-hundredths feet, to a point designated as "F" on map dated November 15, 1920, United States Engineer Department, file no. 300.8, the right-of-way extending 20 feet on each side.

41. Two hundred and sixty-eight degrees fifty-five minutes twenty feet, to east boundary of right-of-way.

42. On curve to left for a distance of 377.78 feet, having a radius of 475.70 feet, central angle being  $45^{\circ} 35'$ , and long chord having a length of 368.56 feet, the right-of-way extending 40 feet on west side.

43. Three hundred and thirteen degrees twenty minutes two thousand five hundred sixty-nine and forty-five one-hundredths feet, the right-of-way extending 40 feet on southwest side.

44. Three hundred and ten degrees forty minutes three thousand nine hundred feet, to the boundary line of Hoaeae and Honouliuli, the right-of-way extending 40 feet on southwest side.

45. Three hundred and thirty-six degrees fourteen minutes five thousand eight hundred seventy-nine and two-tenths feet, along boundary line of Hoaeae and Honouliuli, the right-of-way extending 40 feet to the west of said boundary line to "H."

46. Three hundred and thirty-seven degrees fifty-seven minutes four thousand six hundred eight-six feet, along boundary line of Hoaeae and Honouliuli, the right-of-way extending 40 feet west of said boundary line.

47. Three hundred and thirty-eight degrees thirty-nine minutes two thousand thirty-five feet, along boundary line of Hoaeae and Honouliuli, to a marked rock known as "Pohaku Palahalaha" to "I." From said rock the following triangulation stations bear true azimuths: Salt Lake,  $280^{\circ} 20'$ ; Puuloa,  $316^{\circ} 22'$ ; West Wireless tower,  $299^{\circ} 14'$ .

48. One hundred and forty-one degrees forty-four minutes one hundred thirty-seven and four-tenths feet, being southwest boundary line of right-of-way.

49. One hundred and fifty-eight degrees thirty-nine minutes one thousand nine hundred three and five-tenths feet, being boundary line of right-of-way 40 feet west of boundary line between Hoaeae and Honouliuli to point designated as "J" on map file no. 300.8, dated November 15, 1920—containing an area of 37.19 acres, more or less—being the right-of-way for military road conveyed to the United States of America by the trustees under the will and of the estate of James Campbell, deceased, by deed of conveyance dated September 27, 1921, and duly recorded in the office of the registrar of conveyances in said Honolulu in book no. 667 on pages 5 to 10, inclusive.

With the following committee amendments:

In the title of the bill, strike out the words "the Interior" and substitute in lieu thereof the word "War".

Page 1, line 3, strike out the words "the Interior" and substitute in lieu thereof the word "War".

Page 2, line 3, strike out the word "Waianeo-Uka" and substitute in lieu thereof the word "Waianae-Uka".

Page 4, line 18, strike out "eight one-hundredths" and insert the word "eight".

Page 5, line 16, strike out "three one-hundredths" and insert the word "three".

Page 6, line 16, strike out the words "five hundred and twenty-nine" and insert "three hundred and twenty-nine".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

TO AMEND SECTIONS 203 AND 207, HAWAIIAN HOMES COMMISSION ACT

The Clerk called the next bill on the calendar, H.R. 8052, to amend sections 203 and 207 of the Hawaiian Homes Commission Act of 1920 (U.S.C., title 48, secs. 697 and 701), conferring upon certain lands of Auwailimu, Kewalo, and Kalawahine, on the island of Oahu, Territory of Hawaii, the status of Hawaiian home lands, and providing for the leasing thereof for residence purposes.

The SPEAKER. Is there objection?

Mr. ELTSE of California. Reserving the right to object, I should like to ask the gentleman from the Hawaiian Islands if these allotments would go to native Japanese?

Mr. McCANDLESS. No; only Hawaiian and part Hawaiians.

Mr. ELTSE of California. The native Japanese are not included?

Mr. McCANDLESS. No; only Hawaiians.

There being no objection, the bill was read, as follows:

*Be it enacted, etc.,* That paragraph (4) of section 203 of the Hawaiian Homes Commission Act, 1920 (U.S.C., title 48, sec. 697), is hereby amended to read as follows:

"(4) On the island of Oahu: Nanakuli (3,000 acres, more or less), and Lualualei (2,000 acres, more or less), in the district of Waiānae; and Waimanalo (4,000 acres, more or less), in the district of Koolaupoko, excepting therefrom the military reservation and the beach lands; and those certain portions of the lands of Auwailimu and Kewalo described by metes and bounds as follows, to wit:

"(1) Portion of the Government land of Auwailimu, Punchbowl Hill, Honolulu, Oahu, described as follows: Beginning at a pipe at the southeast corner of this tract of land, on the boundary between the lands of Kewalo and Auwailimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl' being 1,135.9 feet north and 2,557.8 feet east as shown on Government survey registered map no. 2692, and running by true azimuths:

"(1) One hundred and sixty-three degrees thirty-one minutes two hundred thirty-eight and eight-tenths feet along the east side of the Punchbowl-Makiki Road;

"(2) Ninety-four degrees eight minutes one hundred twenty-four and nine-tenths feet across Tantalus Drive and along the east side of Puuowaina Drive;

"(3) One hundred and thirty-one degrees thirteen minutes two hundred thirty-two and five-tenths feet along a 25-foot road-way;

"(4) One hundred and thirty-nine degrees fifty-five minutes twenty and five-tenths feet along same;

"(5) One hundred and sixty-eight degrees seventeen minutes two hundred fifty-seven and eight-tenths feet along Government land (old quarry lot);

"(6) One hundred and fifty-six degrees thirty minutes three hundred thirty-three feet along same to a pipe;

"(7) Thence following the old Auwailimu stone wall along L.C. award no. 3145, to Laenui, grant no. 5147 (lot 8 to C. W. Booth), L.C. award no. 1375 to Kapule, and L.C. award no. 1355 to Kekuanoni, the direct azimuth and distance being  $249^{\circ} 41' 1.3055$  feet;

"(8) Three hundred and twenty-one degrees twelve minutes 693 feet along the remainder of the land of Auwailimu;

"(9) Fifty-one degrees twelve minutes one thousand four hundred feet along the land at Kewalo to the point of beginning; containing an area of 27 acres; excepting and reserving therefrom Tantalus Drive, crossing this land.

"(11) Portion of the land of Kewalo, Punchbowl Hill, Honolulu, Oahu, being part of the lands set aside for the use of the Hawaii Experiment Station of the United States Department of Agriculture by proclamation of the Acting Governor of Hawaii, dated June 10, 1901, and described as follows: Beginning at the northeast corner of this lot, at a place called 'Puu Ea' on the boundary between the lands of Kewalo and Auwailimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 3,255.6 feet north and 5,244.7 feet east, as shown on Government survey registered map no. 2692 of the Territory of Hawaii, and running by true azimuths:

"(1) Three hundred and fifty-four degrees thirty minutes nine hundred and thirty feet along the remainder of the land of Kewalo, to the middle of the stream which divides the lands of Kewalo and Kalawahine;

"(2) Thence down the middle of said stream along the land of Kalawahine, the direct azimuth and distance being  $49^{\circ} 16' 1.5125$  feet;

"(3) One hundred and forty-one degrees twelve minutes eight hundred and sixty feet along the remainder of the land of Kewalo;

"(4) Two hundred and thirty-one degrees twelve minutes five hundred fifty-two and six-tenths feet along the land of Auwailimu to Puu Iole;

"(5) Thence still along the said land of Auwailimu following the top of the ridge to the point of beginning, the direct azimuth and distance being  $232^{\circ} 26' 1.470$  feet, containing an area of 30 acres; excepting and reserving therefrom Tantalus Drive, crossing this land.

"(iii) Together with that portion of the land of Kalawahine (25 acres, more or less), makai of Tantalus Drive, and lying between the portion of the land of Kewalo above described and the so-called 'Kalawahine lots', in the district of Honolulu."

SEC. 2. Paragraph (3) of subsection (a) of section 207 of the Hawaiian Homes Commission Act, 1920, as amended (U.S.C., title 48, sec. 701), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "Provided further, That the portions of the lands of Auwailimu, Kewalo, and Kalawahine on the island of Oahu under the control of the Commission, shall be leased only for residence purposes in individual lots, the area of which shall be not less than one eighth of an acre nor more than one half of an acre per lot."

SEC. 3. Notwithstanding the provisions of the Hawaiian Homes Commission Act, as amended, limiting the leasing of lands to native Hawaiians, persons, whether or not native Hawaiians as defined by such act, as amended, who are on the date of the enactment of this act residing on the lands of Auwalolimu, Kewalo, and Kalawahine on the island of Oahu placed under the control of the Hawaiian Homes Commission by this act, shall be given first opportunity to lease such lands on which they reside.

SEC. 4. This act shall take effect on and after the date of its approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PROMOTION PARITY IN THE COAST GUARD

The Clerk called the next bill, H.R. 8644, to provide warrant officers of the Coast Guard parity of promotion with warrant officers of the Navy.

The SPEAKER pro tempore. Is there objection?

Mr. GOSS. I object.

Mr. WARREN. Mr. Speaker, will the gentleman withhold his objection?

Mr. GOSS. Mr. Speaker, this bill is coming up under suspension today. I am against the bill. It would be very foolish to let a majority vote pass it or let it go through by consent when it is coming up under suspension. I object.

#### STOCK OWNERSHIP BY DIRECTORS OF FEDERAL RESERVE MEMBER BANKS

The Clerk called the next bill, S. 2601, to amend section 31 of the Banking Act of 1933 with respect to stock ownership by directors of member banks of the Federal Reserve System.

#### PROMOTION PARITY IN THE COAST GUARD

Mr. GOSS. Mr. Speaker, I was under a misapprehension in respect to Calendar No. 203, H.R. 8644, to provide warrant officers of the Coast Guard parity of promotion with warrant officers of the Navy. I ask unanimous consent to return to the bill.

Mr. BLANTON. Mr. Speaker, I ask the gentleman to withhold his request for a few minutes.

Mr. GOSS. Very well.

#### DECLARATORY JUDGMENTS—AMENDMENT TO JUDICIAL CODE

The Clerk called the next bill, H.R. 4337, to amend the Judicial Code by adding a new section, to be numbered 274D. The SPEAKER pro tempore. Is there objection?

Mr. ELTSE of California. Mr. Speaker, I reserve the right to object.

Mr. ZIONCHECK. Has the gentleman any objection to declaratory judgments to advise any legislative body as to the constitutionality of an act before any actual controversy arises?

Mr. ELTSE of California. I have no objection to declaratory judgments. I rose to ask why you have not the report of the Attorney General?

Mr. ZIONCHECK. I have nothing to do with that.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. ELTSE of California. Yes.

Mr. MONTAGUE. I am the patron of the bill. This bill passed the House twice if not three times. The Senate has been the obstructing medium of government. I cannot recall whether the Attorney General in this particular instance was asked his opinion, but the bill was recommended unanimously by the Committee on the Judiciary. It has been thoroughly considered by that committee. It means expedition, economy, and simplification of judicial procedure. It has every element that should meet the approval of the citizens of our country.

It has been adopted by 27 States—not exactly this bill but a similar bill. It has been adopted by Great Britain for a great number of years, and adopted by Scotland for over 400 years.

Mr. ELTSE of California. Mr. Speaker, I withdraw my objection.

There being no objection, the Clerk read as follows:

*Be it enacted, etc., That the Judicial Code, approved March 3, 1911, is hereby amended by adding after section 274C thereof a new section to be numbered 274D, as follows:*

"SEC. 274D. (1) In cases of actual controversy the courts of the United States shall have power upon petition, declaration, complaint, or other appropriate pleadings to declare rights and other legal relations of any interested party petitioning for such declaration, whether or not further relief is or could be prayed, and such declaration shall have the force and effect of a final judgment or decree and be reviewable as such.

"(2) Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application shall be by petition to a court having jurisdiction to grant the relief. If the application be deemed sufficient, the court shall, on reasonable notice, require any adverse party, whose rights have been adjudicated by the declaration, to show cause why further relief should not be granted forthwith.

"(3) When a declaration of right or the granting of further relief based thereon shall involve the determination of issues of fact triable by a jury, such issues may be submitted to a jury in the form of interrogatories, with proper instructions by the court, whether a general verdict be required or not."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### UNITED STATES SHIP "NEWPORT"

The Clerk called the next bill, H.R. 4944, authorizing the Secretary of the Navy to make available to the municipality of Aberdeen, Wash., the U.S.S. *Newport*.

Mr. GOSS. Reserving the right to object, can the author of this bill give some explanation of it?

Mr. SMITH of Washington. The purpose of this bill is to authorize the Secretary of the Navy to make available to the city of Aberdeen, Wash., the old gunboat *Newport*, which was built in 1897, and stricken from the naval list 2½ years ago.

Mr. GOSS. I was wondering why it made it particularly available to that one city.

Mr. SMITH of Washington. There are precedents for this legislation.

Mr. GOSS. I understand that.

Mr. SMITH of Washington. Vessels have in the past been rendered available to several other municipalities for the same purpose.

Mr. GOSS. That is true, but are there any others available for other localities, or is this the last one on the list?

Mr. SMITH of Washington. I am not prepared to answer that question. This vessel will be rendered available to the Naval Reserve at Aberdeen, Wash., where the vessel now is and has been for several years. The city of Aberdeen is willing to assume the expense and cost of maintaining the vessel and taking care of it and keeping it and using it for the Naval Reserve, without any expense to the Federal Government.

Mr. TABER. Will the gentleman yield?

Mr. SMITH of Washington. I yield to the gentleman from New York.

Mr. TABER. Is that all provided for in the bill?

Mr. SMITH of Washington. Yes, sir; it is. The bill provides that the vessel shall be made available "for the use of the Grays Harbor district in connection with the training of the Naval Reserve organization of the district, provided that no expense to the Government shall be involved."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that the bill S. 2681, an identical Senate bill, be substituted for the House bill.

There being no objection, the Clerk read the Senate bill as follows:

*Be it enacted, etc., That the Secretary of the Navy is hereby authorized and directed to turn over to the municipality of Aberdeen, Wash., the United States ship Newport for use of the Grays Harbor district in connection with the training of the Naval Reserve organization of the district: Provided, That no expense to the Government shall be involved.*

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.



## CONVEYANCE BY CENTRAL PACIFIC RAILWAY, CITY OF LODI, CALIF.

The Clerk called the next bill, H.R. 7032, validating certain conveyances heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way, in and in the vicinity of the city of Lodi, and near the station of Acampo, and in the city of Tracy, all in the county of San Joaquin, State of California, and in or in the vicinity of Galt, and Polk, in the county of Sacramento, State of California, acquired by Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat.L. 499), as amended by the act of Congress approved July 2, 1864 (13 Stat.L. 356).

There being no objection, the Clerk read as follows:

*Be it enacted, etc.,* That the conveyances hereinafter particularly described and heretofore executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain lands or interests therein, in and in the vicinity of the city of Lodi, and near the station of Acampo, and in the city of Tracy, all in the county of San Joaquin, State of California, and in or in the vicinity of Galt, and Polk, in the county of Sacramento, State of California, and forming a part of the right-of-way of said Central Pacific Railway Co., granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat.L. 499), and by said act as amended by act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes', approved July 1, 1862" (13 Stat.L. 356), are hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyances by the corporations making the same under absolute fee-simple title.

The conveyances, recorded in the office of county recorder of San Joaquin County, Calif., in book of official records, which are hereby legalized, validated, and confirmed, are as follows:

1. September 3, 1932; A. W. Simpson; volume 411, page 475.
2. March 20, 1931; Margaret Wallace; volume 368, page 443.
3. March 20, 1931; Louis Dreher; volume 368, page 442.
4. March 20, 1931; Joseph Dietz; volume 361, page 462.
5. March 20, 1931; Lydia Bachelor; volume 364, page 438.
6. March 20, 1931; Stockton Box Co., a corporation; volume 360, page 485.
7. March 20, 1931; E. G. Potter, receiver of the Stewart Fruit Co., a corporation; volume 361, page 288.
8. March 20, 1931; Emma E. Long; volume 364, page 441.
9. March 20, 1931; E. E. Tremain and Susan C. Tremain; volume 367, page 223.
10. March 20, 1931; Ferdinand Hain; volume 361, page 465.
11. March 20, 1931; Mary E. Bandeen; volume 360, page 487.
12. March 20, 1931; Sarah E. Sherman; volume 369; page 141.
13. March 20, 1931; E. C. Cary; volume 364, page 442.
14. March 20, 1931; Eldridge W. Rathbun and Ellen A. Rathbun, his wife; volume 361, page 463.
15. March 20, 1931; Ewald Spiekerman; volume 368, page 440.
16. April 24, 1931; the Pioneer Fruit Co., a corporation; volume 373, page 112.
17. July 22, 1929; Tracy Waldron Fruit Co., a California corporation; volume 296, page 35.
18. November 14, 1929; Central California Traction Co., a corporation; volume 351, page 79.
19. January 7, 1930; the Fabian-Grunauer Co.; volume 1, page 86.
20. January 7, 1930; A. J. Russell; volume 314, page 138.
21. June 14, 1929; American Fruit Growers, Inc., of California, a corporation; volume 289, page 250.

The conveyances, recorded in the office of the county recorder of Sacramento County, Calif., which are hereby legalized, validated, and confirmed, are as follows:

1. January 19, 1932; Central California Traction Co., a corporation; volume 385, page 134.
  2. May 5, 1931; George F. McNoble; volume 348, page 449.
- Provided,* That such legalization, validation, and confirmation shall not in any instance diminish said right-of-way to a width of less than 50 feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established and maintained: *And provided further,* That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Co. and its lessee, Southern Pacific Co.: *And provided further,* That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

With the following committee amendment:

On page 5, after line 4, insert "3. July 16, 1930; J. C. Wisecarver; volume 314, page 126."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## CONVEYANCE BY CENTRAL PACIFIC RAILWAY CO., GRIDLEY, CALIF.

The Clerk called the next bill, H.R. 7098, validating certain conveyances heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way, in and in the vicinity of the town of Gridley, all in the county of Butte, State of California, acquired by Central Pacific Railway Co. under the act of Congress approved July 25, 1866 (14 Stat.L. 239).

There being no objection, the Clerk read as follows:

*Be it enacted, etc.,* That the conveyances hereinafter particularly described and heretofore executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain lands or interests therein, in and in the vicinity of the town of Gridley, all in the county of Butte, State of California, and forming a part of the right-of-way of said Central Pacific Railway Co., granted by the Government of the United States of America by an act of Congress approved July 25, 1866, entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad in California, to Portland in Oregon" (14 Stat.L. 239), are hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyances by the corporations making the same under absolute fee-simple title.

The conveyances, recorded in the office of the county recorder of Butte County, Calif., in book of official records, which are hereby legalized, validated, and confirmed, are as follows:

1. June 10, 1931; T. B. Channon and T. J. Long; volume 78, page 325.
2. June 10, 1931; Ida McCurry, Harry W. McCurry, and Louise A. McCurry; volume 78, page 71.
3. June 10, 1931; Richard C. Sligar and Amy M. Bilhartz; volume 74, page 474.
4. June 10, 1931; Colusa Development Co.; volume 81, page 306.

*Provided,* That such legalization, validation, and confirmation shall not in any instance diminish said right-of-way to a width less than 60 feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established and maintained: *And provided further,* That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Co. and its lessee, Southern Pacific Co.: *And provided further,* That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS

The Clerk called the next resolution, Senate Joint Resolution 83, amending Public Resolution No. 118, Seventy-first Congress, approved February 14, 1931, providing for an annual appropriation to meet the quota of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts.

Mr. TRUAX and Mr. BLANTON objected.

## SPANISH WAR SERVICE MEDAL

The Clerk called the next bill, S. 1810, to amend the act authorizing the issuance of the Spanish War Service Medal.

There being no objection, the Clerk read as follows:

*Be it enacted, etc.,* That the last paragraph under the subheading "Medals of Honor, Distinguished Service Crosses, and Distinguished Service Medals" in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919", approved July 9, 1918 (40 Stat.L. 845, 373), as amended, is amended by striking out "not less than 90 days."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Clerk called the next bill, H.R. 8057, to amend the Longshoremen's and Harbor Workers' Compensation Act with respect to rates of compensation, and for other purposes.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

## POST OFFICE SITE, SAN ANTONIO, TEX.

The Clerk called the next bill, H.R. 8514, authorizing the Secretary of the Treasury to convey a part of the post-office site in San Antonio, Tex., to the city of San Antonio, Tex., for street purposes, in exchange for land for the benefit of the Government property.

There being no objection, the Clerk read as follows:

*Be it enacted, etc.,* That in order to permit the widening of North Alamo Street adjacent to the post-office site at San Antonio, Tex., and to make uniform the dimensions of the post-office site, the Secretary of the Treasury be, and he is hereby, authorized to convey by the usual quitclaim deed to the city of San Antonio, Tex., for street purposes only, a tract of land forming a part of the post-office site described as lying and being in the city of San Antonio, Tex.—

Beginning at the intersection of the east line of North Alamo Street, 55.6 feet wide with the south line of Travis Street 55.6 feet wide, said point of beginning being the northwest corner of the present post-office site, running thence in an eastwardly direction a distance of 10.10 feet to a point in the line of Travis Street; thence in a southwardly direction a distance of 303.4 feet to a point; thence in an easterly direction a distance of 23.93 feet to a point in the present north line of East Houston Street; thence in a southwesterly direction 34.56 feet to a point, being the intersection of the present north line of East Houston Street with the present east line of North Alamo Street; thence in a northwardly direction with the present line of North Alamo Street 55.6 feet wide a distance of 308.5 feet to the point or place of beginning.

in consideration of the conveyance by the city of San Antonio, Tex., to the United States of a valid title in and to the triangular parcel of land which is a part of East Houston Street as now laid out and described as:

Beginning at a point being the intersection of the north line of East Houston Street as now laid out with the westerly line of Avenue E as now laid out 78 feet wide, said point of beginning also being the present southeasterly corner of the post-office site; running thence in a northeastwardly direction with the line of Avenue E a distance of 26.43 feet to a point; thence in a southwestwardly direction a distance of 113.17 feet to a point in the line of East Houston Street as now laid out; thence in an eastwardly direction with the line of East Houston Street as now laid out a distance of 95.75 feet to the point or place of beginning.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and motion to reconsider was laid on the table.

## AMENDING TITLE II, PUBLIC ACTS OF SEVENTY-THIRD CONGRESS

The Clerk called the next bill, H.R. 6379, to amend title II, section 203 (a) (2), chapter 67, Public Acts of Seventy-third Congress.

Mr. MOTT. Reserving the right to object, I should like to know what this bill is?

Mr. COOPER of Tennessee. I am sure the gentleman will observe from the bill and the report, which is brief, that the purpose is to amend title II, which is the Public Works title of the National Industrial Recovery Act, so as to broaden simply the discretionary power of the President and Administrator, so as to allow grants and loans of a similar type as those now made under that title to medical schools, hospitals, and institutions of a public nature, such as municipal institutions and institutions of that type.

Mr. MOTT. Mr. Speaker, I withdraw my reservation of objection.

Mr. ELTSE of California. Reserving the right to object, I should like to ask the gentleman if this is not extending the provisions of the National Industrial Recovery Act a little beyond its original purpose? In the first part of section 203 (a) I find this: "With a view to increasing employment."

Does not the gentleman think that this is an unjustifiable extension of the original act?

Mr. COOPER of Tennessee. No; it does not relate to that particular provision of the act at all. However, the very purpose sought to be accomplished by that provision will undoubtedly be accomplished by this bill.

There has been a rather narrow construction placed upon this provision that is sought to be amended. The purpose of the pending bill is simply to broaden the discretionary authority in the manner indicated. I do not think it in any way affects the provision to which the gentleman has invited attention, and certainly could not adversely affect that provision.

Mr. ELTSE of California. The amendment, however, is included in section 203 (a).

Mr. COOPER of Tennessee. This is an amendment of section 203 (a) (2), which will be found at the top of page 9 of the National Industrial Recovery Act.

Mr. ELTSE of California. I see it. I spoke to the gentleman from Ohio [Mr. WEST] a while ago on the same matter. I called his attention to the fact that the language of that section reads, "with a view to increasing employment quickly."

Mr. COOPER of Tennessee. This would undoubtedly accomplish that purpose.

Mr. WEST of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ELTSE of California. I yield.

Mr. WEST of Ohio. The pending bill does not amend section 203 (a) but does amend section 203 (a) (2), and is concerned primarily with construction projects in that group of institutions that would normally come under the provisions of section 202 which precedes this. The legal staff of the Public Works have held that the language of the act, "States, municipalities, or other public bodies" includes only public bodies that are subdivisions of States and municipalities but does not include worthy projects of a public character that are provided for by public funds and are under public control, such as these educational institutions and hospitals.

Mr. ELTSE of California. I may say that I believe in the purpose of the amendment, but I think it might be extending the provisions of the original act beyond its purpose.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is not this matter of sufficient importance to merit more attention than it is being given right now?

Mr. WEST of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. WEST of Ohio. The purpose of this bill is merely to clarify the interpretation with reference to the type of projects mentioned in section 203 (a) (2) and to authorize the awarding of the grant to educational institutions and hospitals. There has been a question as to whether or not institutions that are clearly public in character, institutions supported by public funds, institutions having definitely the character of public bodies, come within the interpretation of the present act and to remove any doubt about educational institutions and hospitals these are specifically mentioned as having the character of public bodies.

It is not a controversial issue; it is merely for the purpose of clarifying the interpretation of the act.

Mr. COOPER of Tennessee. Mr. Speaker, will the gentleman yield further?

Mr. MARTIN of Massachusetts. I yield.

Mr. COOPER of Tennessee. This is simply for the purpose of clarifying certain regulations that have been issued for the administration of this act. There is no controversy about it.

Mr. MARTIN of Massachusetts. Could relief be extended to private hospitals by reason of this amendment?

Mr. WEST of Ohio. Mr. Speaker, if the gentleman will yield, I should like to say that this amendment is intended to authorize the awarding of the grant to hospitals under public control. Where a city maintains a municipal hospital supported by public funds, governed by a board of



directors selected by the mayor and council as public officials to govern the hospital, it is clearly a public body; but under the interpretation now existing with reference to the provisions of the present act such an institution does not become eligible for aid, and so, likewise, with non-denominational educational institutions supported by public funds.

The purpose of the amendment is to make it clear that the term "public bodies" in section 203 (a) (2) is interpreted to apply to nondenominational educational institutions or hospitals not operated for profit which have received or are receiving public aid for construction, repair, or improvement of such project, or to hospitals or nondenominational educational institutions not operating for profit for the purposes and projects designed to serve the interests of the general public, and to make such institutions eligible to the grant under the act.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

There being no objection the Clerk read the bill, as follows:

*Be it enacted, etc.,* That title II, section 203 (a) (2), chapter 67, Public Acts of Seventy-third Congress, be amended as follows:

"(2) upon such terms as the President shall prescribe to make grants to States, municipalities, or other public bodies, or to nondenominational educational institutions not operating for profit, which have received or are receiving public aid, for the construction, repair, or improvement of any such project, or to nondenominational educational institutions not operating for profit for purposes and projects designed to serve the interests of the general public, such as hospitals in connection with class A medical schools, for the construction, repair, or improvement of any such project, but no such grant shall be in excess of 30 percent of the cost of the labor and materials employed upon such project."

With the following committee amendment:

Page 2, line 2, after the word "schools", insert "or hospitals under public control, such as municipal hospitals."

The amendment was agreed to.

Mr. COOPER of Tennessee. Mr. Speaker, I offer an amendment correcting a chapter number. It is of a clerical nature only.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Tennessee: Page 1, line 3, after the word "chapter", strike out "67" and insert in lieu thereof "90."

The amendment was agreed to.

Mr. COOPER of Tennessee. Mr. Speaker, I ask unanimous consent that the title of the bill be amended accordingly.

The title of the bill was amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### HOMESTEAD LANDS

The Clerk called the next bill, S. 2568, granting a leave of absence to settlers of homestead lands during the years 1932, 1933, and 1934.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, it was my understanding that this bill was to come up under a suspension of the rules. It is worth talking about, so I object to its coming up now.

The SPEAKER pro tempore. Does the gentleman from California object?

Mr. ELTSE of California. I object, Mr. Speaker.

BRIDGE ACROSS PEE DEE RIVER AND BRIDGE ACROSS WACCAMAW RIVER, GEORGETOWN, S.C.

The Clerk called the next bill, H.R. 8714, to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C., authorized to be built by the county of Georgetown, S.C., by an act of Congress approved May 29, 1930, are hereby extended 1 and 3 years, respectively, from May 30, 1934.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 8, after "1930", insert "heretofore extended by acts of Congress approved February 14, 1933, and May 12, 1933." Page 2, line 1, after the word "hereby", insert the word "further."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BRIDGE ACROSS OHIO RIVER, SHAWNEETOWN, ILL.

The Clerk called the next bill, H.R. 8908, to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky.

Mr. ELTSE of California. Mr. Speaker, I am going to object to 216.

Mr. TRUAX. Will the gentleman withhold his objection? Mr. ELTSE of California. Yes.

Mr. TRUAX. This bill is reported unfavorably by Dr. R. G. Tugwell, Acting Secretary of Agriculture, and since I think the doctor knows more about bridges than he does about agriculture I want to follow his recommendation on this bill.

Mr. PARSONS. Will the gentleman withhold his objection?

Mr. TRUAX. I withhold my objection.

Mr. ELTSE of California. I objected.

Mr. TRUAX. The author of the bill wants to make an explanation.

Mr. ELTSE of California. I reserve my objection.

Mr. PARSONS. Mr. Speaker, the time for the beginning and completion of the bridge is extended in this bill. This is about the second or third time it has been extended, but they have made plans to construct this bridge if the time is extended. I am very sorry that the Assistant Secretary of Agriculture saw fit to object to this bill, and I hope the gentlemen from California, Ohio, and Washington will not object.

Mr. ELTSE of California and Mr. ZIONCHECK objected.

#### BRIDGE ACROSS WABASH RIVER NEAR DELPHI, IND.

The Clerk called the next bill, H.R. 8937, granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Delphi, Ind.

Mr. TRUAX. Mr. Speaker, reserving the right to object, may I ask the gentleman whether a report has been made on this bill by Dr. Tugwell?

Mr. DURGAN of Indiana. A report has been made by Dr. Tugwell and also by the Secretary of War, the Honorable George Dern.

Mr. TRUAX. Their report is favorable?

Mr. DURGAN of Indiana. They report the bill favorably.

Mr. TRUAX. Again I am willing to favor the doctor's recommendation.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the State of Indiana to construct, maintain, and operate a free highway bridge and approaches thereto, across the Wabash River, at a point suitable to the interests of navigation, at or near Delphi, Carroll County, Ind., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BRIDGE ACROSS OHIO RIVER AT SHAWNEETOWN, ILL.

The Clerk called the next bill, H.R. 8951, authorizing the city of Shawneetown, Ill., to construct, maintain, and operate a toll bridge across the Ohio River at or near a point between Washington Avenue and Monroe Street in said city of Shawneetown and a point opposite thereto in the county of Union and State of Kentucky.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the city of Shawneetown, Ill., is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near a point between Washington Avenue and Monroe Street in the city of Shawneetown, Ill., and a point opposite thereto in the county of Union and State of Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. There is hereby conferred upon the city of Shawneetown, Ill., all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The said city of Shawneetown, Ill., is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

Sec. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period not to exceed 30 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

On page 1, line 5, after the word "Illinois", insert the words "be and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BRIDGE ACROSS OHIO RIVER AT WHEELING, W.VA.

The Clerk called the next bill, H.R. 8958, authorizing the city of Wheeling, a municipal corporation, to construct, maintain, and operate a bridge across the Ohio River at Wheeling, W.Va.

Mr. RAMSAY. Mr. Speaker, I ask unanimous consent to substitute Senate 3099 for the bill H.R. 8958.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That in order to promote interstate commerce, improve the postal service, and to provide for military and other purposes, the city of Wheeling, a municipal corporation of West Virginia, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, in Wheeling, W.Va., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. The said municipality of Wheeling may charge toll for the use of said bridge, which rates of toll may be so adjusted as to provide a fund sufficient to pay (a) the reasonable cost of maintenance, repair, and operation of the said bridge and its approaches; and (b) the amortization within a reasonable time and not exceeding 25 years from the date that the bridge is opened to traffic, and under reasonable condition of any loan or loans including reasonable interest, taxes, and financing charges made, or to be made in connection with the construction of said bridge and its approaches.

Sec. 3. An accurate record of the cost of the bridge and its approaches and of all expenditures for maintaining, repairing, and operating the same, and of the tolls collected from time to time shall be kept and shall at all reasonable times be available for the information of all persons interested in the construction, operation, and maintenance thereof.

Sec. 4. The right to sell, assign, transfer, mortgage, or pledge any or all of the rights, powers, and privileges conferred by this act is hereby granted to the said city of Wheeling or any corporation to which, or any person to whom, such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same through mortgage, pledge, foreclosure, or otherwise, including therein the United States of America acting by or through the President, the Federal Emergency Administrator of Public Works, such other agency or agencies as may be designated or created for such purpose pursuant to the National Industrial Recovery Act or any other amendment or supplement thereto, or any other agency or agencies as may be created for such purpose by the Congress of the United States, and such person or corporation is hereby authorized and empowered to exercise all of the rights, powers, and privileges conferred upon the city of Wheeling as fully as though conferred herein directly upon such corporation or person.

Sec. 5. Whenever a sum sufficient to amortize and pay off the amount of money used in building and constructing said bridge shall have been collected, the city of Wheeling shall declare said bridge free and open to the use of the general public without the imposition of any further tolls or charges for the use of said bridge.

Sec. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### BRIDGE ACROSS SUSQUEHANNA RIVER AT OR NEAR HOLTWOOD, LANCASTER COUNTY

The Clerk called the next bill, H.R. 9000, granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Holtwood, Lancaster County.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near Holtwood, Lancaster County, Pa., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. If tolls are charged for the use of such bridge, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BRIDGE ACROSS SUSQUEHANNA RIVER AT OR NEAR BAINBRIDGE, AND MANCHESTER, PA.

The Clerk called the next bill, H.R. 9257, granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Bainbridge, Lancaster County, and Manchester, York County.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania, acting through its department of highways, to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River at



a point suitable to the interests of navigation at or near Bainbridge, Lancaster County, and Manchester, York County, and between the counties of York and Lancaster, in the Commonwealth of Pennsylvania, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 5, after the figures "1906", insert "and subject to the conditions and limitations contained in this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CARGO IMPORTED AND EXPORTED UNDER TRADE AGREEMENTS

The Clerk called the next resolution, House Joint Resolution 282.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### PAYMENT OF SEAMEN'S WAGES IN FOREIGN PORTS

The Clerk called the next bill, H.R. 5266, to amend section 4548 (U.S.C., title 46, sec. 605) of the Revised Statutes of the United States.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### PROTECTION OF SEA LIONS IN ALASKA WATERS

The Clerk called the next bill, H.R. 8639, to repeal certain laws providing for the protection of sea lions in Alaska waters.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That all acts and parts of acts making it unlawful to kill sea lions, as game animals or otherwise, in the waters of the Territory of Alaska are repealed: *Provided, however,* That the laws concerning game animals in Alaska, except insofar as they relate to sea lions, shall not be affected thereby.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### POSTAL TREATIES OR CONVENTIONS

The Clerk called the next bill, H.R. 7317, to provide for the final construction, on behalf of the United States, of postal treaties or conventions to which the United States is a party.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### LIMITATION UPON THE EXTENSION OF STAR ROUTES

The Clerk called the next bill, H.R. 7212, to remove the limitation upon the extension of star routes.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, may I inquire what this bill is proposed to do? Does

it propose to make an unlimited number of miles to a star route?

Mr. MUSSELWHITE. No. The purpose of this legislation is to give authority to the Post Office Department to make a contract at the same rate that is paid now for a continuation and extension of a desirable service.

Mr. ZIONCHECK. This will permit the extension of a route only a very short way?

Mr. MUSSELWHITE. There is no specific statement, but this says it may be extended.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROMJUE. Will the gentleman withhold his request a moment?

Mr. ZIONCHECK. I withhold it, Mr. Speaker.

Mr. ROMJUE. I simply want to explain to the gentleman that there is no further limitation placed by this bill so far as the length of the route is concerned than there is already with respect to the general rural routes. There is no limitation now on the mileage of a rural route, and I think this is a very important and a very desirable piece of legislation. I am satisfied the Post Office Department is not going to abuse the privilege of extension.

Mr. ZIONCHECK. There is nothing wrong in passing this over for 2 weeks.

Mr. ROMJUE. The only difficulty is we are approaching the end of the session, and the Postmaster General is very anxious to get the bill through.

Mr. ZIONCHECK. I do not think passing it over for 2 weeks will make any difference.

I ask unanimous consent, Mr. Speaker, that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

#### UNPAID MAIL MATTER

The Clerk called the next bill, H.R. 7348, to amend section 3937 of the Revised Statutes.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, may I ask the author of the bill a question with respect to the language in line 1, on page 2: "But in large cities and adjacent districts of dense population, having two or more post offices within a distance of 3 miles of each other."

I know of several situations where there are large cities adjacent to each other where a drop letter in one city will not be delivered in the adjacent city, and I think the gentleman should be willing to submit to an amendment providing that letters may be delivered to adjacent cities as well as adjacent district where there is dense population.

Mr. HAINES. Mr. Speaker, this bill was sent to me by the Department, and I was given no authority by the committee to have the bill amended. However, I do not see any objection to the gentleman's amendment.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. HAINES. I yield to the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Of course, the purpose is not to have it apply to adjacent cities. The purpose is that where there are post offices within 3 miles of each other these letters which contain no postage or less than one full rate shall then be handled directly within that district.

Mr. ELTSE of California. May I ask this question? I have in my own district the cities of Oakland and Berkeley. The post offices are 5 miles removed, and yet the cities are contiguous and adjacent. A drop letter in my home city of Berkeley would not be delivered in Oakland, under this bill?

Mr. KELLY of Pennsylvania. No.

Mr. ELTSE of California. My contention is there is no particular reason why you should put on a limitation of 3 miles any more than you should, say, 7 or 10 miles.

Mr. KELLY of Pennsylvania. Of course, the purpose of the Department is to have a certain rule laid down where there is no postage at all on the letter or less than one full rate, and they have to provide a mileage limit of some kind.

Mr. ELTSE of California. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice, so that I may take the matter up in the meantime and see if this suggestion will be agreeable to the Department.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### CONVEYANCE OF LETTERS BY PRIVATE MESSENGERS

The Clerk called the next bill, H.R. 7670, relating to conveyance of letters by private hands without compensation, or by special messenger employed for the particular occasion only.

Mr. BLANTON. Mr. Speaker, I reserve the right to object to ask some questions of the gentleman in charge of the bill.

I ask the gentleman from Missouri how far this measure goes in permitting the delivery of mail by private messenger.

Mr. ROMJUE. The proposed change in language will still make it possible for senders to send up to five letters by special messenger without payment of postage and will also permit the sending of more than five letters in this manner if, for some special reason, the sender does not desire to make use of postal facilities, but in the latter event it is proposed to require the payment of postage in order to protect the Government's revenues.

Mr. BLANTON. It is a Post Office Department measure, and not a measure to get around the postal laws.

Mr. ROMJUE. That is true.

Mr. BLANTON. And this bill has the approval of the Post Office Department?

Mr. ROMJUE. Yes.

Mr. BLANTON. Then I am for it.

Mr. ZIONCHECK. If the gentleman will permit, in the city of Seattle the Puget Sound Light & Gas Co., instead of sending their bills through the mail, send them by messenger.

Mr. BLANTON. I am heartily in favor of the bill, and I shall not object.

Mr. BLANCHARD. Mr. Speaker, reserving the right to object, I should like to know what is meant by the language in line 7, "conveyance or transmission of letters or packets." I assume that is where letters are wrapped up in a package.

Mr. ROMJUE. It may mean three letters or more than three letters.

Mr. DOBBINS. That is simply a repetition of the language of the present law.

Mr. ELTSE of California. Reserving the right to object, will this prevent the distribution of handbills?

Mr. ROMJUE. No; it is not intended to prevent the distribution of handbills.

Mr. ELTSE of California. It seems to me it would tend to prevent the distribution of handbills.

Mr. DOBBINS. This does not change the law as to what may be sent outside of mail matter. The limitation relates only to first-class mail. The telegraph companies and those who furnish messenger service have been coming in and taking the cream out of the Postal Service by the inexpensive handling of local delivery letters, and the Post Office Department estimates that this deprives the Department of four hundred or five hundred thousand dollars of revenue a year.

Mr. TABER. I should like to ask a question. A man running a store wants to send out for a particular purpose 10 or 12 letters that he wants people to get in an hour or two hours in a particular locality. Would he be prohibited by this bill from doing this?

Mr. DOBBINS. Not if he sent them out by his own employees.

Mr. TABER. I am inclined to believe that we ought to proceed very carefully in this direction. I suggest that the bill be passed over without prejudice.

Mr. TRUAX. I am inclined to agree with the gentleman from New York. I think the measure would place a hardship on the merchant in the little country town who wants to send out handbills.

Mr. KELLY of Pennsylvania. It does not affect handbills at all.

Mr. TABER. It would affect the ordinary business man who had some special occasion for sending out communications. It would not affect the big corporation, but it would affect the little fellow who is obliged to call in messenger service once in a while.

Mr. DOBBINS. This is intended to get at the big fellows and protect the little fellows.

Mr. TABER. It seems to me that you do not get at the meat of the thing. The electric-light companies and the telephone companies send out bills by their own employees. You do not get at the situation that exists now.

Mr. BLANCHARD. Everybody knows that utilities companies have their own employees and they can send out the bills by them.

Mr. DOBBINS. Can the gentleman recall any case from his own experience where men having letters to be distributed have gone out and solicited someone to deliver them?

Mr. TABER. It seems to me that the big fellows are specifically exempted by the provisions of the bill, and the little fellows who only want to send out a few communications are obliged to carry the burden.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### COMPENSATING POST OFFICE DEPARTMENT FOR PAYMENT OF MONEY ORDERS, ETC.

The Clerk called the next bill, H.R. 3214, to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the act entitled "An act to regulate the payment of postal money orders", approved February 6, 1913 (38 Stat. 280; U.S.C., title 39, sec. 727), is amended to read as follows:

"That under such rules and regulations as the Postmaster General shall prescribe postal money orders may be issued payable at any money-order post office, and on and after the date upon which such rules and regulations become effective all money orders shall be legally payable at any money-order post office, although drawn on a specified office; and as compensation for the extra labor involved in paying a money order at an office other than that on which the order is drawn the Postmaster General is authorized to exact a fee of the same amount as that charged for the issue of the order; and that all laws or parts of laws in conflict herewith are hereby repealed."

With the following committee amendment:

Page 1, line 4, strike out "1913" and insert "1914."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### TIMBER OPERATIONS OF MENOMINEE INDIANS

The Clerk called the next bill, H.R. 7759, to amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin.

The SPEAKER. Is there objection?

Mr. GOSS. Mr. Speaker, I reserve the right to object. This is a bill with reference to a timber operation. I wish the gentleman from Wisconsin would tell us more in detail about this.

Mr. BOILEAU. Mr. Speaker, the Menominee Indian Reservation is the only reservation that has extensive timber operations. The Indians own their own sawmills and they have quite a stand of timber. This bill provides that at the end of each fiscal year the Secretary of the Interior shall determine the fair market stumpage value of the timber cut during that year.

Mr. GOSS. Stumpage value?

Mr. BOILEAU. Yes; stumpage value, and then distribute that amount equally among the living members of the Menominee Tribe of Indians, provided a profit is shown, and provided that no more than the actual profit shall be distributed.



Mr. GOSS. In what way is it proposed to amend the law?

Mr. BOILEAU. There is no such provision at the present time. All this money goes into the tribal fund.

Mr. GOSS. Does the gentleman not think it should?

Mr. BOILEAU. No; because up until this year for the past 20 years or so, every year or two the Indians have submitted a bill and Congress has passed bills providing for a per capita payment out of the tribal funds.

Mr. GOSS. Is the gentleman trying to tell the House now that if this bill should pass there would be no more money paid out of the tribal funds?

Mr. BOILEAU. I would not want to say that definitely, but it is our hope to accomplish that. We hope there will be some material changes made with reference to the operation so that the operation will show a profit. As a matter of fact there has been no profit during the last few years.

Mr. GOSS. Does the gentleman know of any other Indian reservation where that has happened?

Mr. BOILEAU. I do not know of any other Indian reservation that has a timber operation such as that. That has been going on since 1908.

Mr. GOSS. Then it is a new practice. It is the form of work which these Indian get in a pro rata share, rather than to go into the trust funds of the tribe and then be distributed to the members of the tribe.

Mr. BOILEAU. The entire operation is an experiment. It is confined to that one operation only. But it has been going on since 1908. There is nothing comparable to it in any other Indian reservation.

Mr. GOSS. They have oil on some of these Indian reservations.

Mr. BOILEAU. That is true.

Mr. GOSS. And should we take out so much oil and distribute it to each Indian there or put it into the fund?

Mr. BOILEAU. The law now has limited the amount of timber that can be cut, I believe, to 12,000,000 feet a year, so there is no possibility of the Indians exploiting the timber on the reservation.

Mr. GOSS. Would the gentleman be willing to let this go over?

Mr. BOILEAU. If the gentleman is inclined to want more information, well and good, but I am anxious to have this passed. The Secretary of the Interior and the Commissioner of Indian Affairs both approve the bill.

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### BRIDGES ACROSS THE MONONGAHELA, ALLEGHENY, AND YOUGHIOGHENY RIVERS, PA.

The Clerk called the next bill, H.R. 8241, to authorize the construction and operation of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pa.

The SPEAKER. Is there objection?

Mr. ELTSE of California. Mr. Speaker, I reserve the right to object. Will the gentleman explain what the operations of this bill will be in the event an assignment is made to Allegheny County or to a private individual?

Mr. KELLY of Pennsylvania. Mr. Speaker, the corporation is the Allegheny County Authority, created by the State of Pennsylvania. The legislature of the State passed a charter bill providing for the incorporation of Allegheny County Authority for the purpose of constructing the public projects which are included in this unified program. There are some 12 of these important projects. A great deal of work has been done and they are now preparing the plans. Application has been made to the P.W.A. for a loan. The permission of Congress is asked now for the construction of these bridges over navigable rivers, the Allegheny, the Monongahela, and the Youghiogheny.

Mr. ELTSE of California. I call attention to the specific language to which I am trying to object. The gentleman

says this authorization is granted to the Allegheny County Authority. I read the following language:

Allegheny County Authority and the county of Allegheny, Pa., or either of them, their successors and assigns—

And so forth. I can conceive that either the county authority or the county of Allegheny might get P.W.A. funds, an allocation by way of a 30-percent grant. There is nothing in this bill that would prevent assignment by either of those authorities or organizations to a private individual or a private corporation, and the private individual or the private corporation would derive the benefit of a grant of Congress to the extent of 30 percent.

Mr. KELLY of Pennsylvania. I assure my friend there is no such purpose as that. The whole purpose of this duly chartered corporation established by the Pennsylvania Legislature is to permit them to take on the obligation and responsibility for the full payment of this loan.

Mr. ELTSE of California. I will ask the gentleman if he does not think there ought to be some language included in the bill to prevent assignment to a private individual or corporation?

Mr. KELLY of Pennsylvania. We took this up with the War Department and went over it very carefully, and they approved it. The Department of Agriculture went over it very carefully and approved it. We went into that matter thoroughly. I am sure this is in the proper form.

Mr. ELTSE of California. This is a very ambitious program you are undertaking. There are seven bridges that are being constructed. I can conceive of danger there. I should like to have this passed without prejudice, so that I can go over it with the gentleman.

Mr. HOLMES. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield.

Mr. HOLMES. I want to say, as a member of the committee on bridges, that we went into this very thoroughly in connection with the building of these proposed bridges. As a matter of fact, all of these bridges are replacing bridges at these various locations that are now owned by the county of Allegheny; but I understand, in order to secure a loan from the P.W.A., they have requested in several instances that we set up or give permission to the authorities to create a commission to take over the construction and amortization of all these bridges, rather than making the loan direct to the municipality. Consequently, when it is done, the assignment will be made back to the county of Allegheny, which originally owned the bridges. I am personally familiar with most of these bridges, and I know they are inadequate to handle the traffic which is required today. Also, you will notice in the bill it refers to associated projects. Associated projects in connection with this are street widenings in order to handle the traffic.

Mr. ELTSE of California. But that has been eliminated.

Mr. TRUAX. Will the gentleman yield?

Mr. ELTSE of California. I yield.

Mr. TRUAX. The gentleman from Pennsylvania stated that these bills had been approved by the War Department and the Department of Agriculture. I find that is true with certain provisions. In the report of W. R. Gregg, Acting Secretary of the Department of Agriculture, he says:

The Department will interpose no objection to the pending bill other than the change therein suggested as to the term "associated projects."

In the report of the Secretary, Mr. Wallace, he makes it clear that the bill must be amended to specifically limit the collection of tolls to the bridges themselves, with the proviso that such limitation shall not operate to bar rentals from the utilities which might use such bridges, or which might use what are referred to in the bill as "associated projects." Now, we find that the terms "associated projects" and "utilities" are one and the same thing. I want to ask the gentleman, and I assure him in advance that I will personally rely on his own statement, have these provisions been fully met in the bill as now drafted, so as to protect future generations and the present people who will use these bridges from

paying tolls to privately owned companies or utilities ownership?

Mr. KELLY of Pennsylvania. Without hesitation I say "yes." The purpose of clarifying the bill was to make sure that the authority could charge a fair amount for street-car franchises across these bridges; also for water lines, gas-company lines, and electric-light lines.

Mr. TRUAX. In other words, you have safeguarded the interest of the people against the encroachment of utilities?

Mr. KELLY of Pennsylvania. Absolutely.

Mr. ELTSE of California. I should like to ask the gentleman one other question. Would you have any objection to amending the bill by including the word "municipal" before the words "successors and assigns" in line 6 and again in line 7?

Mr. KELLY of Pennsylvania. I would not object to that, if that would make sure that the assignees could only be a governmental authority. However, this is Allegheny County, which is not a municipal authority.

Mr. ELTSE of California. A municipal organization is a county organization within the definition of the law.

Mr. HOLMES. Any assignment will have to be back to the authority which granted it.

Mr. ELTSE of California. Why does the gentleman say that?

Mr. HOLMES. You have separate divisions. You have McKeesport on one side and Pittsburgh on the other, but all these bridges are now under the control of the county itself; not the city of Pittsburgh or any one of the intermediate communities where the bridges are located; so that the only possible thing that can be done will be for this authority, after it has amortized the bridges, to then authorize assignment back to the county. The authority is just the agent of the county, and in order to comply with the regulation of the P.W.A. and in order to get these funds, this is set up in this particular form. There is only one way that it can be assigned, and that is back to the county.

Mr. KELLY of Pennsylvania. Back to the county or State which chartered the corporation. It is a State-chartered corporation especially for construction-and-loan purposes.

Mr. ELTSE of California. Then the bill goes much further than your intent, because under the bill there is nothing to prevent assignment from Allegheny County authority to a private individual or a private corporation.

Mr. KELLY of Pennsylvania. There is no such intention as that, I am sure, and I hope the gentleman will let this measure pass. The officials from Pittsburgh and from Pennsylvania went over this carefully. They went over it with the War Department and with the Department of Agriculture. They all agreed that this was the proper language. It will be of great advantage to a section of Pennsylvania that has had very little aid from the P.W.A. in the past.

Mr. ELTSE of California. As I understood a moment ago, the gentleman was willing to have the word "municipal" inserted before the words "successors and assigns."

Mr. KELLY of Pennsylvania. If that does not confuse the matter I trust the judgment of the gentleman from Massachusetts [Mr. HOLMES] on that point.

Mr. HOLMES. To do that would be to complicate the situation, for then this authority could assign all the rights in this bridge to the city of Pittsburgh or to any other city. They would have to assume the burden of liability. On the other hand this comes within the scope of public works and has a direct bearing on the entire highway projects of the State of Pennsylvania.

Mr. ELTSE of California. I do not want to see this fall into the hands of private individuals.

Mr. KELLY of Pennsylvania. Oh, no; it will not.

Mr. HOLMES. I can assure the gentleman that the bill is drawn in the regular form.

Mr. ELTSE of California. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Allegheny County authority and the county of Allegheny, Pa., or either of them, their successors and assigns, or the successors or assigns of either of them, be, and are hereby, authorized to construct, maintain, and operate bridges and approaches thereto at any or all of the following points within the county of Allegheny, Pa.:

(a) Across the Monongahela, at a point suitable to the interests of navigation, from Pittsburgh to Homestead, Pa., near to, and to replace, existing Brown's Bridge.

(b) Across the Allegheny River, at a point suitable to the interests of navigation, from Pittsburgh to O'Hara Township, Pa., near Dam No. 2, to replace the existing Highland Park Bridge.

(c) Across the Monongahela River, at a point suitable to the interests of navigation, in the city of Pittsburgh, Pa., between the Wabash and Point Bridges.

(d) Across the Monongahela River, at a point suitable to the interests of navigation, from the Glenwood to the Hays sections of the city of Pittsburgh, Pa., to replace existing Glenwood Bridge.

(e) Across the Monongahela River, at a point suitable to the interests of navigation, from Dravosburg to McKeesport, Pa., to replace existing Dravosburg Bridge.

(f) Across the Youghiogheny River, at a point suitable to the interests of navigation, in the city of McKeesport, to replace existing Fifth Avenue Bridge.

(g) Across the Monongahela River, at a point suitable to the interests of navigation from the borough of Rankin to the borough of Whittaker, Pa., to replace existing Rankin Bridge, all in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. If tolls are charged for the use of said bridges or any of them, or the approaches to them or any of them, the rates of toll may be so adjusted as to provide a fund sufficient to pay such part or all of any one or more of the following items as shall not be from time to time otherwise provided for, namely:

(a) The reasonable cost of maintenance, repair, and operation of said bridges and approaches and their associated projects; and

(b) the amortization, within a reasonable time and under reasonable conditions, of any loan or loans, including reasonable interest, taxes, and financing charges, made or to be made in connection with the construction of any of said bridges and approaches and their associated projects. By the term "associated projects" is meant any and all other construction projects which may be associated with said bridges and approaches in the borrowing of money or the issuance of bonds by the Allegheny County authority or the county of Allegheny, Pa., as the case may be, or which may be jointly pledged with said bridges and approaches as security for the repayment of any such moneys borrowed or bonds issued, whether or not tolls or other fees shall be charged for the use of said projects.

Sec. 3. An accurate record of the cost of the bridges and their approaches and associated projects and of all expenditures for maintaining, repairing, and operating the same and of tolls collected from time to time shall be kept and shall at all reasonable times be available for the information of all persons interested in the construction, operation, and maintenance thereof.

Sec. 4. The right to sell, assign, transfer, mortgage, or pledge any or all the rights, powers, and privileges conferred by this act is hereby granted to the said Allegheny County authority and the county of Allegheny, Pa., or either of them, their successors or assigns, or the successors or assigns of either of them; and if such rights, powers, and privileges shall be sold, assigned, or transferred to, or shall be acquired through mortgage, pledge, foreclosure, or otherwise by the United States of America acting by or through the President, the Federal Emergency Administrator of Public Works or such other agency or agencies as may be designated or created for such purpose pursuant to the National Industrial Recovery Act or any amendment or supplement thereto, or otherwise, or by any person, corporation, or political subdivision, the United States of America or such person, corporation, or political subdivision is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon the United States of America, such person, corporation, or political subdivision.

Sec. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 3, line 11, after the word "approaches" strike out "and their associated projects."

Page 3, strike out all of lines 17, to and including line 24, and lines 1 and 2 on page 4.

Page 4, line 4, strike out the words "and associated projects."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS GRAND CALUMET RIVER, GARY, IND.

The Clerk called the next bill, H.R. 9064, granting the consent of Congress to the State of Indiana to construct,



maintain, and operate a free highway bridge across the Grand Calumet River at or near a point suitable to the interests of navigation, east of Clark Street, in Gary, Ind.,

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, I should like to ask the author of the bill how close this proposed bridge will be to the nearest existing bridge?

Mr. PETTENGILL. Mr. Speaker, if the gentleman will yield, the author of the bill, my colleague from Indiana [Mr. SCHULTE] is in Indiana because of the primary election to be held there tomorrow.

Mr. Speaker, in the absence of my colleague, the gentleman from Indiana [Mr. SCHULTE], I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### BRIDGE ACROSS CONNECTICUT RIVER AT TURNERS FALLS, MASS.

The Clerk called the next bill, H.R. 9065, granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at Turners Falls, Mass.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Department of Public Works, Commonwealth of Massachusetts, to construct, maintain, and operate a free highway bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at Montague (Turners Falls) and Gill (Riverside), Mass., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BRIDGE ACROSS SUSQUEHANNA RIVER AT MILLERSBURG, PA.

The Clerk called the next bill, H.R. 9271, granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Millersburg, Dauphin County, Pa.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, I should like to ask the author of the bill how close the proposed bridge is to the nearest existing bridge.

Mr. ZIONCHECK. I do not know whether the author of the bill is here, but I do not see what difference it makes how close this proposed bridge may be to an existing bridge.

Mr. ELTSE of California. It makes a lot of difference if it happens to be a toll bridge and this new bridge is to be erected out of P.W.A. funds.

Mr. ZIONCHECK. We still have a state of free competition and will have until bridges are put under an N.R.A. code. I do not see why we should object.

Mr. ELTSE of California. We are living in a time when public-utilities commissions have something to say about such matters by the grant of certificates of public necessity and convenience.

Mr. ZIONCHECK. Under those circumstances the authorities desiring to build a bridge would have to secure such certificate of public convenience and necessity.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. ELTSE of California. I yield.

Mr. BLANTON. There has been an attempt made from time to time here on the floor to consider P.W.A. funds as not being funds of the Treasury of the United States. There is no distinction at all.

Mr. ELTSE of California. Not on my part.

Mr. BLANTON. I am not referring to the gentleman for I am sure he considers it the people's money.

Mr. ELTSE of California. This is a matter of principle entirely, and not any question of the allocation of P.W.A. funds.

Mr. BLANTON. I was not speaking of the gentleman's interpretation.

Mr. ELTSE of California. I do have some question with regard to the wisdom of granting \$30,000 for the construction of a bridge which would come into competition with an existing bridge.

Mr. BLANTON. Then it is agreed on both sides of the aisle that P.W.A. funds are nothing in the world but tax money of the people of the United States that comes out of the Treasury, and are Treasury funds belonging to the people.

Mr. ELTSE of California. I am not speaking for all the Members on this side of the aisle. I may agree with the gentleman personally, but I could not speak for the rest of the Members.

Mr. BLANTON. That is all it is, tax money of the people of the United States that comes out of the Treasury, and we should be just as careful about spending it as any other public money.

Mr. ELTSE of California. That may be true, but the fact remains that we should inquire into these matters.

Mr. ZIONCHECK. Whether it be in the State of Pennsylvania, the State of Massachusetts, or down in the South.

Mr. ELTSE of California. Mr. Speaker, I withdraw my reservation of objection.

Mr. TRUAX. Mr. Speaker, reserving the right to object, and I probably shall not object, but I want to make this statement.

Page 2 of the committee report contains this statement:

This bill would authorize the Pennsylvania Department of Highways to construct, maintain, and operate a toll bridge and approaches thereto across the Susquehanna River, at or near Millersburg, Dauphin County, Pa.

As I understand this bill and what has previously been said, this means the appropriation of a certain amount of P.W.A. funds or C.W.A. funds, one or the other, to be handled by the State Highway Department of Pennsylvania. Now, if the State Highway Department of Pennsylvania handles the funds allotted to them as such funds are handled in the State of Ohio, then I would certainly object to this bill. Every member of the Ohio delegation has received complaints by the score from citizens of Ohio as to the manner in which the C.W.A. funds and P.W.A. funds are administered by the State highway department, by the adjutant general of the State, who wears boots and spurs—and that is the way he treats the people. They are objecting to it and are protesting against the manner in which the taxpayers' money is used in my State to build up a political machine for Gov. George White.

Mr. BLANCHARD. Mr. Speaker, I demand the regular order.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania, acting through its department of highways, to construct, maintain, and operate a toll bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near Millersburg, Dauphin County, and between the counties of Dauphin and Perry, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, after the word "a", strike out the word "toll."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MILK INVESTIGATION

The Clerk called the next resolution, House Concurrent Resolution 32.

Mr. ELTSE of California. Mr. Speaker, reserving the right to object, I ask unanimous consent that the resolution may go over without prejudice.

Mr. BLANTON. Will the gentleman reserve that for a moment?

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, can the gentleman tell the House whether or not Mr. Howe, of the Consumers' Council of the N.R.A. is making a very thorough study of the milk situation?

Mr. MONAGHAN of Montana. I may say to the gentleman from Washington that the Agricultural Adjustment Administration has made what it thought was a necessary investigation here, but the investigation was found by those interested not altogether satisfactory as the basis for needed legislation. The Federal Trade Commission stated that this is the best possible method of handling the matter. I may say further that the Federal Trade Commission has recommended that this resolution be passed. As it concerns every dairy farmer and every consumer of milk in the Nation, I hope the gentleman will not object.

Mr. ZIONCHECK. Mr. Howe, of the Consumers' Council, is with the N.R.A., and I recollect that I received a letter from Mr. Howe about a week or two ago stating that the Consumers' Council of the N.R.A. were making a very thorough investigation from the consumers' standpoint.

Mr. BLANTON. Will the gentleman yield?

Mr. MONAGHAN of Montana. I yield to the gentleman from Texas.

Mr. BLANTON. There is not a more important issue before the Congress right now than the question of getting rid of the big profits that exist between the producer and the consumer of milk. The profits of the middlemen are outrageous. It affects the welfare of every little baby in the United States, and I sincerely hope that the gentlemen will not interpose an objection to this bill.

Mr. ZIONCHECK. I have no objection to an investigation being made. I know that one of the greatest iniquities now is the difference between the price that the farmer gets and the price that the consumer has to pay.

Mr. MONAGHAN of Montana. Mr. Speaker, I refuse to yield further.

Mr. BLANTON. May I say that it will not hurt to get at it from two different angles? If we can find out just how to eliminate the middleman's profit by cutting it out and giving the consumers and the babies of the country the benefit, it will be a great accomplishment.

Mr. CARTER of California. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. Is there objection to the present consideration of the resolution?

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this concurrent resolution be passed over without prejudice.

Mr. MONAGHAN of Montana. Will the gentleman withhold his request?

Mr. CARTER of California. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this concurrent resolution be passed over without prejudice.

Mr. MONAGHAN of Montana and Mr. BLANTON objected.

The SPEAKER. Is there objection to the present consideration of the resolution.

Mr. ELTSE of California. Mr. Speaker, I object.

I do not object to this resolution because I am against it, but because I feel it is of great importance and of far-reaching consequences. The resolution merits fuller debate than can be given it at this time, and it should come up under rules where its provisions can be fully explained and amended, if necessary.

#### COINAGE OF 50-CENT PIECES

The Clerk called the next bill, S. 2901, to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Arkansas into the Union.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in commemoration of the one hundredth anniversary of the admission of the State of Arkansas into the Union there shall be coined at the mints of the United States 500,000 silver 50-cent pieces of such design as the Director of the Mint, with the approval of the Secretary of the Treasury, may select; but the United States shall not be subject to the expense of making the models or master dies or other preparations for this coinage.

Sec. 2. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage authorized by this act.

Sec. 3. The coins authorized by this act shall be issued only to the Arkansas Honorary Centennial Celebration Commission, or its duly authorized agent, in such numbers, and at such times as they shall be requested by such commission or any such agent, and upon payment to the United States of the face value of such coins.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DECORATIONS BY FOREIGN GOVERNMENTS

The Clerk called the next resolution, House Joint Resolution 330, authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign governments.

Mr. TRUAX. Mr. Speaker, reserving the right to object, and I do not expect to object, may I say to the members of this committee that I am in accord with what they stated in their bill, but everybody knows what is wrong with the milk industry of this country. The Borden Milk Co. and the rest of the trusts are robbing the producers.

Mr. ELTSE of California. Mr. Speaker, I demand the regular order.

Mr. TRUAX. We will have to fix a minimum price on milk the same as we do on wheat, hogs, or any of the other commodities.

Mr. ELTSE of California. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.,* That the following-named retired officers or employees of the United States are hereby authorized to accept such decorations, orders, medals, or presents as have been tendered them by foreign governments:

State Department: Robert Woods Bliss, Fred D. Fisher, George Horton, William H. Hunt, Frank W. Mahin, Thomas Sammons, Harry Tuck Sherman, Alexander Thackara, and Craig W. Wadsworth.

United States Army: Charles J. Allen, Bailey K. Ashford, George G. Bartlett, Herbert C. Crosby, William Crozier, Albert C. Dalton, Hanson E. Ely, James E. Fechet, Harry E. Gilchrist, Francis W. Griffin, William W. Harts, John L. Hines, William E. Horton, John A. Hull, Girard L. McEntee, Charles P. Summerall, John J. Pershing, Trevor W. Swett, and Thomas F. Van Natta, Jr.

United States Navy: William C. Braisted, William B. Caperton, Robert E. Coontz, Herbert O. Dunn, John Rufus Edie, Noble E. Irwin, Harry H. Lane, Norman T. McLean, William V. Pratt, Henry J. Shields, George W. Steele, Montgomery M. Taylor, and Arthur L. Willard.

United States Marine Corps: Ben H. Fuller and George C. Thorpe.

Department of Agriculture: L. O. Howard.

Department of Commerce: Antone Silva.



SEC. 2. That the Secretary of State is hereby directed to furnish to the Seventy-fifth Congress and to each alternate Congress thereafter a list of those retired officers or employees of the United States for whom the Department of State under the provisions of the act of January 31, 1881 (U.S.C., title 5, sec. 115), is holding decorations, orders, medals, or presents tendered them by foreign governments.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### INTERNATIONAL COUNCIL OF SCIENTIFIC UNIONS

The Clerk called the next bill, H.R. 6781, to authorize appropriations to pay the annual share of the United States as an adhering member of the International Council of Scientific Unions and associated unions.

Mr. BLANTON. Mr. Speaker, I object.

Mr. BLOOM. Will the gentleman withhold his objection?

Mr. BLANTON. We belong to too many of these international unions now that permit annual junkets to countries all over the world.

Mr. BLOOM. We belong to these things now and have belonged to them for years.

Mr. BLANTON. And we are separating ourselves from them now pretty fast, and we ought to do so. We ought to come back home and look after our own business. I am determined, if it is possible, to stop these annual junkets.

Mr. BLOOM. If the gentleman will read the report of the Secretary of State he will find that this is merely to pay the dues; that is all this is for. There are seven different institutions.

Mr. BLANTON. I am with the gentleman on most of his bills, but I am against him on this one. I want to stop paying foreign dues to every foreign country in the world.

Mr. Speaker, I object.

#### RELIEF FOR DISBURSING OFFICERS OF THE ARMY

The Clerk called up the next bill, S. 2046, to provide relief for disbursing officers of the Army in certain cases.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PAYMENTS UNDER WAR CLAIMS ACT OF 1928

The Clerk called the next joint resolution, House Joint Resolution 325, extending for 2 years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1936, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbitrator.

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.,* That subsection (g) of section 2 and subsection (f) of section 5 of the Settlement of War Claims Act of 1928, as amended by Public Resolution No. 11, Seventy-third Congress, approved June 12, 1933, are further amended, respectively, by striking out the words "six years" wherever such words appear therein and inserting in lieu thereof the words "eight years".

SEC. 2. The first sentence of paragraph (h) of subsection (2) of section 6 of the Settlement of War Claims Act of 1928 is amended to read as follows:

"No payment shall be made under this section unless application therefor is made by March 10, 1936, in accordance with such regulations as the Secretary of the Treasury may prescribe."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CHICAGO WORLD'S FAIR OF 1933

The Clerk called the next joint resolution, House Joint Resolution 311, to permit articles imported from foreign countries for the purpose of exhibition at A Century of Progress Exposition, Chicago, Ill., to be admitted without payment of tariff, and for other purposes.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, the purpose of this bill is to let articles come into the

Chicago Century of Progress Fair without the payment of any import duties. I recollect being at the fair the last time and it looked like a market. Every place you go the cash register is ringing and they are doing nothing but selling goods, and therefore I am constrained to object.

Mr. SABATH. Will the gentleman reserve his objection a moment.

Mr. ZIONCHECK. I reserve it.

Mr. SABATH. This bill has the approval of the Department and on anything that is sold there the Government gets the proper amount of duty. I hope the gentleman will not object to the consideration of the resolution.

Mr. ZIONCHECK. Does the bill provide for the payment of the tariff in such cases?

Mr. SABATH. Yes.

Mr. BLOOM. They pay the duty on any of these things that are sold.

The regular order was demanded.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas pursuant to legislative authorization of the General Assembly of the State of Illinois therefor there was held by A Century of Progress, an Illinois corporation not for profit, during the year 1933 in the city of Chicago, in the State of Illinois, a celebration commemorating the one hundredth anniversary of the incorporation of Chicago as a municipality; and

Whereas in response to a general demand, A Century of Progress has consented to hold a similar celebration during the year 1934 in order that educational and recreational advantages presented by such celebration may again be enjoyed by the people of the world; and

Whereas A Century of Progress has received legislative authorization from the General Assembly of the State of Illinois to hold a world's fair in the said city of Chicago during the year 1934: Now, therefore, be it

*Resolved, etc.,* That all articles which shall be imported from foreign countries for the purpose of exhibition at the exposition to be held by and known as "A Century of Progress", or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition, to sell within the area of the exposition any articles provided for herein, subject to such regulation for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That A Century of Progress shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this act, shall be reimbursed by A Century of Progress to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

With the following committee amendment:

Beginning on page 1, after the title, strike out the preamble.

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## NATCHEZ TRACE PARKWAY

Mr. BUSBY. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 2825, which is identical with House bill 7312, now on the Consent Calendar. The bill provides for an appropriation of \$50,000 with which to make a survey of the old Indian trail known as the "Natchez Trace", with a view of constructing a national road on this route to be known as the "Natchez Trace Parkway."

The Clerk read the title of the bill.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, this authorizes an appropriation for an Indian trail of some kind?

Mr. BUSBY. No; it is an authorization for an appropriation of \$50,000 with which to make a survey of what was a national highway leading from Nashville, Tenn., to Natchez, Miss.

Mr. JENKINS of Ohio. I am sorry, but I feel I must object to that.

Mr. BUSBY. I think, if the gentleman understood the situation, he would not object. This bill was unanimously reported by the Committee on Roads, every member expressing himself as being favorable to it. This is merely an authorization of funds for a survey, and I think it is a very meritorious proposition.

Mr. JENKINS of Ohio. Why would we have to appropriate \$50,000 to make a survey of a road like this?

Mr. BUSBY. It is about 500 miles long and is the route over which Jackson returned from New Orleans. It was a national highway and was one of the principal roads that served the Nation at the time the section of the country through which it passes was being developed. I hope the gentleman will not object to this authorization. Of course, we will have to go to the Committee on Appropriations and make out a case there.

Mr. JENKINS of Ohio. I should like to know what the guardian of the Treasury on the Democratic side, the gentleman from Texas [Mr. BLANTON], thinks about this.

Mr. BLANTON. I think the matter is pretty well looked after over there. [Laughter.]

Mr. JENKINS of Ohio. I feel I must object at this time. I am willing to request that its consideration may be deferred until the next call of the calendar.

Mr. BUSBY. I may explain to the gentleman that it will be impossible for me to be here on next Consent Calendar Day and I hope the gentleman will let the measure pass. The gentleman from Oregon [Mr. MOTT] and other gentlemen who have investigated the matter I am sure will tell the gentleman that it is all right.

Mr. JENKINS of Ohio. I object at this time, subject to making some arrangement whereby it may come up again. Personally, I have no objection to it, but it seems to me that this amount of money for a survey of an old trail is out of the question.

Mr. BUSBY. I know the gentleman is always fair and I hope he will not object to this authorization.

Mr. JENKINS of Ohio. Mr. Speaker, I withdraw my reservation of objection because the ranking member of the committee on the Republican side states it is all right. In spite of this assurance, I still feel some doubt as to its merits. The responsibility for this expenditure is with the Democratic majority.

Mr. WOLCOTT. If the gentleman will permit, I may say that I am not the ranking member on the Republican side of the Roads Committee, but I do know we had extensive hearings on this matter and the report was unanimous. We all agreed on both sides of the table that this is a desirable thing and a good piece of legislation and that an appropriation should be authorized.

Mr. JENKINS of Ohio. May I ask the gentleman from Mississippi if he is a member of the Roads Committee?

Mr. BUSBY. I am not.

Mr. JENKINS of Ohio. Who is the chairman of the committee?

Mr. BUSBY. The gentleman from Oklahoma [Mr. CARTWRIGHT] is Chairman of the Roads Committee.

Mr. JENKINS of Ohio. What does he say about it?

Mr. BUSBY. He is enthusiastically in favor of it.

Mr. JENKINS of Ohio. What does the President say about it?

Mr. BUSBY. All of them are for it and I am sure the gentleman would not offer any objection if he knew all the facts.

Mr. JENKINS of Ohio. Mr. Speaker, I withdraw my reservation of objection, understanding all the Democrats are for it.

There being no objection, the Clerk read the bill, as follows:

S. 2825

Whereas the Natchez Trace was one of the most ancient and important Indian roads leading from the territory in the section of Tennessee about Nashville in a southwest course, crossing the Tennessee River at Colbert Shoals, a few miles below Muscle Shoals, thence passing in a southwest course through the Chickasaw and Choctaw Indian lands, in what is now Mississippi, in an almost direct course by Jackson, Miss., to Natchez; and

Whereas the Natchez Trace is located throughout almost its entire length on highlands between watersheds on the most suitable route over which to establish the national parkway through a section of the country greatly in need of such road facilities from a national standpoint to connect the North and East directly with the Natchez, New Orleans, and Southwest section of the country; and

Whereas the Natchez Trace was made famous for the service it rendered in affording General Jackson a route over which much of his forces moved to take part in Jackson's famous victory over the British at New Orleans, and also by reason of the fact that General Jackson returned with his army over this trace to Nashville after the Battle of New Orleans; and

Whereas the Natchez Trace is known as one of the Nation's most famous old roads, and has been marked by handsome boulders with suitable inscriptions by the Daughters of the American Revolution at great expense, these boulders being placed every few miles from one end of the trace to the other; and

Whereas unusual interest is being manifested in the building of a national parkway by the Government, Natchez Trace organizations having been perfected in almost every county through which the trace passes; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior, known as the "Office of National Parks, Buildings, and Reservations" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

Be it enacted, etc., That there is hereby authorized to be appropriated out of the Treasury of the United States a sum not exceeding \$50,000 to be used by the Department of the Interior through the Office of National Parks, Buildings, and Reservations with which to make a survey of the Old Natchez Trace throughout its entire length leading from the section of Tennessee about Nashville to Natchez, Miss., the same to be known as the "Natchez Trace Parkway." The said survey shall locate the Natchez Trace as near as practicable in its original route. An estimate of cost of construction of an appropriate national parkway over this route, and such other data as will be valuable shall be obtained by said survey with the objective of determining matters concerning the construction of the Natchez Trace Parkway.

Mr. BUSBY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUSBY: Page 2, strike out in the last "whereas" of the preamble the words "Office of National Parks, Buildings, and Reservations", and insert in lieu thereof the following: "National Park Service"; and

Page 3, line 1, strike out "Office of National Parks, Buildings, and Reservations" and insert in lieu thereof the following: "National Park Service."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## INVESTIGATION OF THE DISTRIBUTION AND SALE OF MILK

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to return to Calendar No. 235, House Concurrent Resolution 32.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. BLANTON. I reserve the right to object.

Mr. ZIONCHECK. This is the milk investigation bill.

Mr. TABER. I object.

## REPEAL OF PERMANENT APPROPRIATIONS

Mr. GRIFFIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9410) providing that permanent ap-



appropriations be subject to annual consideration and appropriation by Congress, and for other purposes.

The bill is as follows:

H.R. 9410

A bill providing that permanent appropriations be subject to annual consideration and appropriation by Congress, and for other purposes

*Be it enacted, etc.,* (a) That effective July 1, 1935, such portions of any acts as provide permanent or continuing appropriations from the general fund of the Treasury to be disbursed under the appropriation accounts appearing on the books of the Government, and listed in subsection (b) of this section, are hereby repealed, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury.

(b) (1) Preparation, custody, and delivery of farm-loan bonds, reimbursable (2x152).

(2) Preparation, custody, and delivery of Federal intermediate credit bank securities, reimbursable (2x153).

(3) Preparation and issue of Federal Reserve notes, reimbursable (2x151).

(4) Debentures and other charges (customs).

(5) Payment for lands sold for direct taxes (2x435).

(6) Refunding corporation- and income-tax penalties (internal revenue) (2x425).

(7) Refunding stamp tax on export bills of lading (2x427).

(8) Refunding stamp tax on foreign bills of exchange (2x433).

(9) Refunding tax on contingent beneficial interests (2x428).

(10) Refunding tax on certain legacies (2x426).

(11) Surplus proceeds, property sold for internal-revenue taxes (2x441).

(12) Payment of Cape Cod Canal bonds (2x087).

(13) Surveying within land grants (reimbursable) (4x164).

(14) Fees on certain Indian allotments (4x025).

(15) Distribution of United States Code, Revised Statutes, etc. (4x019).

(16) Transportation of volunteers, War with Spain (8x175).

(17) Powder and projectiles, proceeds of sales (8x423).

Sec. 2. (a) Effective July 1, 1935, the permanent appropriations under the appropriation titles listed in subsection (b) of this section are repealed, and such portions of any acts as make permanent appropriations to be expended under such accounts are amended so as to authorize, in lieu thereof, annual appropriations from the general fund of the Treasury in identical terms and amounts as now provided by such permanent appropriations, except that any appropriation for "Adjusted losses and contingencies, postal fund", is authorized to be made from the postal revenues. Any unobligated balances remaining in the permanent appropriations under these accounts on June 30, 1935, shall be covered into the surplus fund of the Treasury.

(b) (1) Bequest of Gertrude M. Hubbard, Library of Congress, interest account (0x257).

(2) Expenses of Smithsonian Institution, interest account (0x795).

(3) To promote the education of the blind (interest) (2x093).

(4) Interest on Indian trust funds.

(5) Civilization of the Sioux (4x950).

(6) Meat inspection, Bureau of Animal Industry (fiscal year) (3-114).

(7) National Forest Reservation Commission (fiscal year) (3-494).

(8) Soldiers' Home, interest account (8x185).

(9) Pay of consular agents for services to American vessels and seamen (1x561).

(10) Allowance or drawback (Internal Revenue) (2x438).

(11) Redemption of stamps (Internal Revenue) (2x432).

(12) Refunding legacy taxes, act March 30, 1928 (2x430).

(13) Refund of excessive duties (Customs) (2x324).

(14) Debentures or drawbacks, bounties, or allowances (Customs) (2x321).

(15) Allowance or drawback (Industrial Alcohol) (2x440).

(16) Permanent International Commission of Congresses of Navigation (fiscal year) (8-887).

(17) Operating and care of canals and other works of navigation (8x881).

(18) Removing sunken vessels or craft obstructing or endangering navigation (8x888).

(19) Removing obstructions in Mississippi, Atchafalaya, and Old Rivers (fiscal year) (8-961.58).

(20) Maintenance of channel, South Pass, Mississippi River (fiscal year) (8-961.55).

(21) Gaging waters of the Mississippi and its tributaries (fiscal year) (8-961.54).

(22) Examinations and surveys at South Pass, Mississippi River (fiscal year) (8-961.53).

(23) Recoinage of silver coins (2x106).

(24) Refunding duties on goods destroyed (Customs) (2x330).

(25) Refunding to national banking associations excess of duty (2x228).

(26) Salaries and expenses, Federal Board for Vocational Education (fiscal year) (0-801).

(27) Repayment of taxes on distilled spirits destroyed by casualty (2x431).

(28) Adjusted losses and contingencies, postal fund (9x326).

(29) Refunding proceeds of unclaimed merchandise (Customs) (2x326).

(30) Proceeds of goods seized and sold (Customs) (2x322).

(31) Operating snag and dredge boats on upper Mississippi, Illinois, and Minnesota Rivers (fiscal year) (8-962.51).

(32) Operating snag boats on the Ohio River (fiscal year) (8-962.51).

(33) Library of Congress trust fund, interest on permanent loan account (0x283).

Sec. 3. (a) Effective July 1, 1935, the permanent or continuing appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section are hereby abolished, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury. Any appropriations to which expenditures under such accounts have been chargeable prior to July 1, 1935, are hereby repealed. Any claims accruing on and after July 1, 1935, which, but for this section properly would have been charged to these appropriation titles, shall, upon proper audit, be certified to Congress for appropriation from the general fund of the Treasury, which is hereby authorized.

(b) (1) Extra pay to Regular Army, War with Spain (8x172).

(2) Extra pay to volunteers, War with Spain (8x173).

(3) Claims of officers and men of the Army for destruction of private property (8x123).

(4) Bounty to Fifteenth and Sixteenth Missouri Cavalry Volunteers (8x164).

(5) Judgments in admiralty suits under act of March 9, 1920, War Department (8x143).

(6) Reimbursement for bringing home remains of officers and others (Navy) (7x816).

(7) Reimbursement for bringing home remains of officers and others (War) (8x765).

(8) Indemnity for swamp land to States (4x160).

(9) Proceeds of mineral or reserved lands, Tanana Valley, Alaska, special fund (4x167).

(10) Proceeds of town sites for schools in Oklahoma (4x464).

(11) Indemnity to seamen and marines for lost clothing (7x977).

(12) Reimbursement to certain persons for loss of private funds while patients at United States Naval Hospital, Naval Operating Base, Hampton Roads, Va. (7x973).

(13) Judgments, bounty for destruction of enemies' vessels (7x956).

(14) Judgement, owners, etc., barkentine *Mabel I. Meyers*, under act of August 21, 1916 (7x959).

(15) Relief of claimants, explosion at Naval Ammunition Depot, Lake Denmark, N.J. (7x975).

(16) Guaranty to carriers after termination of Federal control (0x961).

(17) Reimbursement to carriers of deficits during Government control (0x963).

(18) Guaranty to American Railway Express Co. during guaranty period (0x965).

(19) Judgments in admiralty suits under act of March 9, 1920, United States Shipping Board (0x556).

(20) Judgments of courts (Revised Statutes, sec. 3754) (7x965).

(21) Bounty for destruction of enemies' vessels (7x961).

(22) Claims arising from operations under Wheat Price Guaranty Act of March 4, 1919 (0x482).

(23) Proceeds sale of town lots, Lawton, Okla. (4s174).

(24) Proceeds of certain lands in township 8-North, Nebraska (4s176).

Sec. 4. (a) Effective July 1, 1935, all receipts of the character theretofore credited to the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section shall be deposited into the Treasury as miscellaneous receipts, and amounts equal thereto are authorized to be appropriated annually from the general funds of the Treasury for the same purposes for which such receipts are now appropriated. Appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed, effective on such date: *Provided*, That if the total of receipts for any one fiscal year for any of the foregoing purposes under this authority is greater than the amounts appropriated for such purpose, such excess is authorized to be appropriated for the following fiscal year.

(b) (1) Payments to States and Territories from the national-forests fund (3s206).

(2) Roads and trails for States, national-forests fund (3s212).

(3) Payments to school funds, Arizona and New Mexico, national-forests fund (3s207).

(4) Payments to States under Federal Water Power Act, special fund (0s509).

(5) Payments to States from receipts under Mineral Leasing Act (4s171).

(6) Wagon roads, bridges, and trails, Alaska fund (4s524).

(7) Public schools, Alaska fund (4s366).

(8) Coos Bay Wagon Road Grant fund (4s168).

(9) Payment to Oklahoma from royalties, oil, and gas, south half of Red River (4s028).

(10) Five percent fund of net proceeds of sales of agricultural lands in Colorado (4s183).

(11) Annette Islands reserve, Alaska, fund from leases (5s740).

(12) Relief of the indigent, Alaska fund (2s108).

(13) Naturalization fees, publishing citizenship textbooks, Bureau of Naturalization (6-836).

(14) Additional income tax on railroads in Alaska (2s442).

(15) Ordnance material, proceeds of sales (War) (8s422).

(16) Maintenance and operation of dams and other improvements of navigable waters (8s876).

(17) Construction, irrigation system, Wapato project, Washington, act February 14, 1920 (5s781).

(18) Maintenance, irrigation system (name of project), act August 1, 1914.

(19) Maintenance, irrigation system (name of project), act May 18, 1916.

(20) Maintenance, power system, Flathead Reservation, Mont., act May 10, 1926 (5s796).

(21) Power plant, Coolidge Dam, Ariz., electric-current fund, act March 7, 1928 (5s804.9).

(22) The Oregon & California land-grant fund (4s169).

(23) Redistribution, funds for indigent, Alaska fund (2s109).

(24) Building or purchase of vessels for the Coast Guard from proceeds of sales (2s373).

(25) Rebuilding and improving Coast Guard stations from proceeds of sales (2s363).

(26) Military post construction fund (8s250).

(27) National Guard, section 87, National Defense Act, fiscal year (8-715).

(28) Indian-school improvements, act April 21, 1904 (4x794).

(29) Purchase of lands for landless Indians in California, act March 3, 1925 (4x812).

(30) Payments to States from receipts under mineral leasing act (4s171).

(31) Yuma auxiliary irrigation project, Arizona (4s507).

(32) Alaskan reindeer fund (4s365).

(33) United States naval prison activities fund (7s925).

(34) Injury claims assigned, Veterans' Administration (0s878).

(35) Migratory bird conservation fund (3s362).

(36) Losses on war-risk insurance of American vessels, their cargoes, and so forth, special fund (0s865).

(37) Gas production, helium plants, Bureau of Mines (6s685).

(38) Perry's Victory Memorial (0s727).

(39) Inland and coastwise waterways service fund (8x875).

(40) Five percent funds to States (4s166).

Sec. 5. (a) Effective July 1, 1935, the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section are abolished, and any unobligated balances under such accounts as of that date shall be covered into the surplus fund of the Treasury. Any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed, effective on such date. To the extent that the annual appropriations, which are hereby authorized to be made from the general fund of the Treasury for the same purposes for which expenditures are now made from said accounts, are insufficient, there are hereby authorized to be appropriated from the general fund of the Treasury such additional amounts as may be necessary, to the extent that the amounts of such receipts are in excess of the amounts appropriated.

(b) (1) Expenses, Cotton Standards Act (3s535).

(2) Classification of cotton, revolving fund (3s320).

(3) Extra compensation for overtime, Immigration Service (6s803).

Sec. 6. (a) Effective July 1, 1935, receipts theretofore authorized to be credited to the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section shall be deposited into the Treasury of the United States as miscellaneous receipts, and there are hereby authorized to be appropriated from the general fund of the Treasury such amounts as may be necessary for the Patent Office and the Alaska Railroad: *Provided*, That this paragraph shall be subject to section 21 insofar as such section is applicable to Patent Office fees.

(b) (1) Salaries and expenses, Patent Office (6s289).

(2) Alaska Railroad special fund (4s526).

Sec. 7. (a) Effective July 1, 1935, any balances credited to the following appropriation accounts on the books of the Government and listed in subsection (b) of this section shall be covered into the surplus fund of the Treasury, and any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed. Claims or payments chargeable to said accounts, upon proper audit, shall be certified to Congress for appropriation from the general fund of the Treasury, which is hereby authorized.

(b) (1) Prize money to captors (7T987).

(2) Prize money to captors, Spanish War (7T988).

(3) Prize money, Battle of Manila Bay (7T986).

(4) Spanish indemnity, interest (2T082).

(5) Spanish indemnity, principal (2T082.1).

(6) Trust-fund interest for support of free schools in South Carolina.

Sec. 8. Effective July 1, 1935, the appropriation account on the books of the Government entitled "Recreation Fund, Army" (8T078) is abolished and the balance thereof shall be covered into the surplus fund of the Treasury.

Sec. 9. Effective July 1, 1935, (a) the naval-hospital fund (7S815) is abolished, and any unobligated balance therein, as of that date, shall be covered into the surplus fund of the Treasury; (b) moneys theretofore required by law to be collected and paid into the credit of such fund shall be collected and deposited into the Treasury of the United States as miscellaneous receipts; and (c) there are hereby authorized to be appropriated from the general fund of the Treasury, commencing with the fiscal year 1936, for the purposes of the same character as those for which such naval-hospital fund was available prior to July 1, 1935, such sums as annually may be necessary.

Sec. 10. Effective July 1, 1935, all sums received from fines and forfeitures imposed by naval courts martial shall be covered into the Treasury as miscellaneous receipts, and, commencing with the fiscal year 1936, there are authorized to be appropriated from the general fund of the Treasury annually such sums as may be necessary to meet the character of expenses which, prior to July 1, 1935, were chargeable to the account entitled "Navy Fines and Forfeitures (7S984)." Any unobligated balance in such account, as of July 1, 1935, shall be covered into the surplus fund of the Treasury.

Sec. 11. Effective July 1, 1935, (a) the Naval Pension Fund (7T982) is abolished, any unobligated balance therein, as of that date, shall be covered into the surplus fund of the Treasury, and interest on such fund shall cease; (b) moneys theretofore required by law to be paid into such fund shall be deposited into the Treasury of the United States as miscellaneous receipts; and (c) commencing with the fiscal year 1936 annual appropriations in such amounts as may be necessary are authorized from the general fund of the Treasury for the maintenance, operation, and improvement of the Naval Home.

Sec. 12. (a) Effective July 1, 1935, the replacement accounts appearing on the books of the Government and listed in subsection (b) of this section are abolished, and the unobligated balances thereof shall be returned to the surplus fund of the Treasury. All receipts which would have accrued to such replacement accounts, but for their abolition, by reason of sales and transfers of stores, materials, and supplies, shall be covered into the Treasury for credit directly to the current appropriation made for the purchase or acquisition of such stores, materials, and supplies.

(b) (1) Replacing Army transportation (fiscal year) (8-228).

(2) Replacing clothing and equipage (fiscal year) (8-231).

(3) Replacing subsistence of the Army (8s666).

(4) Replacing regular supplies of the Army (fiscal year) (8-234).

(5) Replacing Signal Corps supplies and equipment (fiscal year) (8-545).

(6) Replacing medical supplies (fiscal year) (8-511).

(7) Replacing engineer equipment of troops (fiscal year) (8-315).

(8) Replacing engineer operations in the field (fiscal year) (8-316).

(9) Replacing engineer depots (fiscal year) (8-317).

(10) Replacing ordnance and ordnance stores (fiscal year) (8-425).

(11) Replacing barracks and quarters (fiscal year) (8-209).

(12) Replacing water and sewers at military posts (fiscal year) (8-233).

Sec. 13. Effective July 1, 1935, the amounts received from assessments authorized to be made against national banks to cover the cost of salaries and expenses of national-bank examiners, contingent expenses of the national currency, and for the salaries of Deputy Comptrollers of the Currency and other personnel in the Office of the Comptroller of the Currency, and the amounts received from assessments authorized to be made against the Federal home-loan banks for salaries and expenses of the Federal Home Loan Bank Board, and assessments on carriers under section 14 of the Emergency Railroad Transportation Act of June 16, 1933, shall be covered into the Treasury as miscellaneous receipts. Commencing with the fiscal year 1936 there are authorized to be appropriated annually, from the general fund of the Treasury, such sums as may be necessary to defray the cost of such activities.

Sec. 14. Effective July 1, 1935, the appropriation account, "Unpaid money orders more than one year old" carried on the books of the Government, is hereby abolished, and the balance therein shall be covered into the postal revenues, and any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed. There is hereby authorized to be appropriated from postal revenues such sums as may be necessary to make any expenditures which, but for its abolition, would be chargeable to this account.

Sec. 15. (a) Effective July 1, 1935, such portion of any acts as provide appropriations from the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section are hereby repealed, and any balances remaining in, or but for this provision would accrue to, such accounts shall be covered into the Treasury of the United States to the credit of the District of Columbia. Any claims accruing on or after July 1, 1935, which but for this section properly would have been charged to these appropriation accounts shall, upon proper audit, be certified to Congress for appropriation, which is hereby authorized.

(b) (1) Militia fund from fines, District of Columbia (DCs592).

(2) Industrial Home School fund, District of Columbia (DCs463).

(3) Sanitary fund, District of Columbia (DCt619).

(4) New site and buildings, Industrial Home School, District of Columbia (DCs460).

(5) Payment to tenants excess rentals recovered by Rent Commission, District of Columbia (DCs087).

(6) Escheated estates relief fund, District of Columbia (DCs612).

(7) Redemption of tax-lien certificates, District of Columbia (DCt618).

(8) Washington special tax fund, District of Columbia (DCt623).

(9) Redemption of assessment certificates, District of Columbia (DCt617).

Sec. 16. (a) On and after July 1, 1935, appropriations for the District of Columbia appearing on the books of the Government and listed in subsection (b) of this section are abolished as such, and so much of the several acts as provide for such appropriations



is amended so as to authorize in lieu thereof annual definite appropriations, estimates for which shall be incorporated in the estimates of annual appropriations for the District of Columbia.

(b) (1) Refunding water rents, etc., District of Columbia (DCx602).

(2) Refunding taxes, District of Columbia (DCx601).

(3) Extension, etc., of streets and avenues, District of Columbia (fiscal year) (DC-114).

SEC. 17. So much of the acts of March 4, 1917, and June 15, 1917 (U.S.C., title 34, sec. 530), as provides for the account "Reserve material, Navy" (7x718), are hereby repealed, and any unexpended balance therein on June 30, 1935, under appropriations provided by such acts, shall be covered into the surplus fund of the Treasury.

SEC. 18. That portion of the act of March 3, 1893 (U.S.C., title 31, sec. 644), which provides that "The accounting officers of the Treasury are hereby authorized to credit the appropriation, 'Pay, miscellaneous', with all receipts for interest on the account of the Navy Department with the London fiscal agents, premiums arising from the sales of bills of exchange, and from any depreciation in the value of foreign coin", is hereby repealed, and hereafter such receipts shall be covered into the Treasury as miscellaneous receipts.

SEC. 19. (a) Effective July 1, 1935, the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section, as well as appropriation accounts bearing similar titles on the books of the Government, are abolished and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury. Any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed. On July 1, 1935, there shall be established on the books of the Government an account to be designated "Unclaimed moneys of individuals whose whereabouts are unknown", and there are authorized to be appropriated such sums as may be necessary to meet any expenditures of the character now chargeable to the appropriation accounts abolished by this section. The Secretary of the Treasury shall submit with his annual estimates of appropriations an amount necessary to meet expenditures properly chargeable to this account.

(b) (1) Unclaimed moneys, Food Administration (0t548).

(2) Unclaimed moneys of individuals whose whereabouts are unknown (Veterans' Administration) (0t881).

(3) Unclaimed moneys of former patients, Veterans' Administration hospital (0t879).

(4) Unclaimed moneys of individuals whose whereabouts are unknown (relief of American citizens in Europe) (0t542).

(5) Unclaimed moneys of individuals whose whereabouts are unknown (Interior, civil) (4t033).

(6) Unclaimed moneys of individuals whose whereabouts are unknown (Justice) (1t755).

(7) Unclaimed moneys of individuals whose whereabouts are unknown (Labor) (6t750).

(8) Unclaimed moneys of individuals whose whereabouts are unknown (Navy) (7t978).

(9) Unclaimed moneys of individuals whose whereabouts are unknown (State) (1t554).

(10) Unclaimed moneys of individuals whose whereabouts are unknown (Treasury) (2t080).

(11) Unclaimed moneys of individuals whose whereabouts are unknown (War) (8t117).

(12) Unclaimed individual Indian moneys (5t009).

(13) Unclaimed funds of discharged patients, St. Elizabeths Hospital (4t548).

(14) Return of unclaimed money deposited by clerks of courts (1x792).

(15) Outstanding liabilities, lands (4t184).

(16) Return of subscriptions to Liberty Bond issues placed through American consulates (1t631).

(17) Return of subscriptions to Liberty Bond issues by civilian employees of Naval Establishment (7t979).

(18) Refund to depositors, excess licenses, under section 10 (c), Trading With the Enemy Act (0t523).

(19) Return of subscriptions to Liberty Bond issues placed through the postmaster at Philadelphia, Pa. (9t340).

(20) Unclaimed funds of Federal prisoners (1t952).

SEC. 20. (a) Effective July 1, 1935, the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section, as well as appropriation accounts bearing similar titles on the books of the Government, are abolished, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury. Any appropriations to which expenditures under such accounts have been chargeable theretofore, are repealed. On such latter date there shall be established on the books of the Government an account to be designated "Refund of moneys erroneously received and covered", and there is authorized to be appropriated such sums as may be necessary to meet any expenditures of the character now chargeable to the appropriation accounts herein abolished and other collections erroneously received and covered which are not properly chargeable to any other appropriation. The Secretary of the Treasury shall submit with his annual estimates of appropriations an amount necessary to meet expenditures properly chargeable to this account: *Provided*, That this authority shall not be deemed to apply to any refunds which, under existing law, may be charged to any accounts for which separate provision is made in this act.

(b) (1) Refunding moneys erroneously received and covered (Navy) (7x972).

(2) Refunding moneys erroneously received and covered (Industrial Alcohol) (2x445).

(3) Refunding moneys erroneously received and covered (War) (8x191).

(4) Refunding moneys erroneously received and covered (State) (1x552).

(5) Refunding moneys erroneously received and covered (Customs) (2x323).

(6) Refunding moneys erroneously received and covered (Treasury) (2x083).

(7) Refunding moneys erroneously received and covered (Justice) (1x791).

(8) Refunding moneys erroneously received and covered (Commerce) (6x050).

(9) Refunding moneys erroneously received and covered (Agriculture) (3x010).

(10) Refunding moneys erroneously received and covered (Labor) (6x741).

(11) Refunding moneys erroneously received and covered (Interior) (4x032).

(12) Refund of tonnage taxes and light dues to citizens of Philippine Islands (6x053).

(13) Refunding passport fees (1x551).

(14) Repayment for lands erroneously sold (4x161).

(15) Refunding penalties or charges erroneously exacted (Customs) (2x325).

(16) Refunding penalties or charges erroneously exacted (State) (1x552).

(17) Refunding penalties or charges erroneously exacted (Commerce) (6x052).

(18) Refund to depositors, excess of deposits, national-forests fund (3x208).

(19) Refunding moneys erroneously received and covered (Internal Revenue) (2x434).

SEC. 21. Effective July 1, 1935, moneys received as: Patent Office fees; unearned moneys, lands (Interior Department); reentry permit fees (Labor Department); naturalization fees (Labor Department); and registry fees (Labor Department); and held in the official checking accounts of disbursing officers, shall be deposited in the Treasury of the United States to approximately designated trust-fund accounts and shall be available for refunds, and for transfer of the earned portions thereof into appropriate receipt-fund titles on the books of the Government: *Provided*, That any other unearned moneys carried in official checking accounts of disbursing officers or other accountable officers (including clerks and marshals of United States district courts), including quasi-public moneys and donations administered by officers of the United States by virtue of their official capacity, shall be deposited similarly into the Treasury as trust funds and are hereby made available for disbursement under the terms of the trust.

SEC. 22. (a) The funds appearing on the books of the Government and listed in subsection (b) of this section shall be classified on the books of the Treasury as trust funds. All moneys accruing to these funds are hereby appropriated, and shall be disbursed in compliance with the terms of the trust. Hereafter moneys received by the Government as trustee analogous to the funds named in subsection (b) of this section shall likewise be deposited into the Treasury as trust funds with appropriate title, and all amounts credited to such trust-fund accounts are hereby appropriated and shall be disbursed in compliance with the terms of the trust: *Provided*, That, effective July 1, 1935, expenditures from the trust funds "Soldiers' Home, permanent fund" (8t184) and "Police-men and Firemen's relief fund, District of Columbia" (DCt614) shall be made only in pursuance of appropriations annually made by Congress, and such appropriations are hereby authorized: *Provided further*, That personal funds of deceased inmates, Naval Home, now deposited with the pay officer of the Naval Home, shall be deposited in the Treasury to the credit of the trust-fund account "Personal funds of deceased inmates, Naval Home" (7t989): *Provided further*, That on June 30 of each year there shall be covered into the surplus fund of the Treasury such portion of the balances in any trust-fund account hereinbefore or hereafter listed or established which have been in any such fund for more than 1 year and represent moneys belonging to individuals whose whereabouts are unknown, and subsequent claims therefor shall be disbursed under the appropriation account "Unclaimed moneys of individuals whose whereabouts are unknown", authorized to be established in section 19 of this act.

(b) (1) Philippine special fund (Customs duties) (2s332).

(2) Philippine special fund (Internal Revenue) (2s443).

(3) Unclaimed condemnation awards, Treasury Department (2t921).

(4) Naval reservation, Olongapo civil fund (7s967).

(5) Personal funds of deceased inmates, Naval Home (7t989).

(6) Return to deported aliens of passage money collected from steamship companies (6t749).

(7) Vocational rehabilitation, special fund (0c980).

(8) Library of Congress gift fund (0c260).

(9) Library of Congress trust fund, investment account (0c249).

(10) Library of Congress trust fund, income from investment account (0c246).

(11) Library of Congress trust fund, permanent loan (0c248).

(12) Relief and rehabilitation, Longshoremen's and Harbor Workers' Compensation Act (0t476).

(13) United States Government life-insurance fund, Veterans' Administration (0t875).

(14) Cooperative work, Forest Service (3c209).

- (15) Wages and effects of American seamen, Department of Commerce (6t055).
- (16) Pension money, St. Elizabeths Hospital (4t545).
- (17) Personal funds of patients, St. Elizabeths Hospital (4t546).
- (18) National Park Service, donations (4c470).
- (19) Purchase of lands, national parks, donations (4c408).
- (20) Extension of winter-feed facilities of game animals of Yellowstone National Park, donations (4c410).
- (21) Indian moneys, proceeds of labor, agencies, schools, etc. (5t301).
- (22) Funds of Federal prisoners (1t951).
- (23) Commissary funds, Federal prisons (1t953).
- (24) Pay of the Navy, deposit fund (7t980).
- (25) Pay of Marine Corps, deposit fund (7t981).
- (26) Pay of the Army, deposit fund (8t183).
- (27) Preservation birthplace of Abraham Lincoln (4c395).
- (28) Funds contributed for flood control, Mississippi River, its outlets and tributaries (8c961.86).
- (29) Funds contributed for flood control, Sacramento River, Calif. (8c946.54).
- (30) Effects of deceased employees, Treasury Department (2t089).
- (31) Money and effects of deceased patients, Public Health Service (2t607).
- (32) Effects of deceased employees, Department of Commerce (6t054).
- (33) Topographic survey of the United States, contributions (6c308).
- (34) National Institute of Health, gift fund (2c616).
- (35) National Institute of Health, conditional gift fund (2c617).
- (36) Patients' deposits, United States Marine Hospital, Carville, La. (2t623).
- (37) Estates of deceased personnel, War Department (8t180).
- (38) Estates of deceased soldiers, United States Army (8t189).
- (39) Effects of deceased employees, Department of Interior (4t029).
- (40) Fredericksburg and Spotsylvania County Battlefields memorial fund (8c813).
- (41) Petersburg National Military Park fund (8c814).
- (42) Gorgas Memorial Laboratory quotas (1c304).
- (43) Contributions to International Boundary Commission, United States and Mexico (1c398).
- (44) Salvage proceeds, American vessels (1t581).
- (45) Wages due American seamen (1t630).
- (46) Federal Industrial Institution for Women, contributions for chapel (1c948).
- (47) General post fund, National Homes, Veterans' Administration (0t930).
- (48) Repatriation of American seamen (1s555).
- (49) Expenses, public survey work, general (4s172).
- (50) Expenses, public survey work, Alaska (4s173).
- (51) Funds contributed for improvement of roads, bridges, and trails, Alaska (4c528).
- (52) Protective works and measures, Lake of the Woods and Rainy River, Minn. (8s863).
- (53) Washington redemption fund (Dc622).
- (54) Permit fund, District of Columbia (Dc615).
- (55) Unclaimed condemnation awards, National Capital Park and Planning Commission, District of Columbia (Dc629).
- (56) Unclaimed condemnation awards, Rock Creek and Potomac Parkway Commission, District of Columbia (Dc620).
- (57) Miscellaneous trust-fund deposits, District of Columbia (Dc613).
- (58) Surplus fund, District of Columbia (Dc621).
- (59) Relief and rehabilitation, District of Columbia Workmen's Compensation Act (Dc604).
- (60) Teachers' retirement-fund deductions (Dc624).
- (61) Inmates' fund, workhouse and reformatory, District of Columbia (Dc605).
- (62) Soldiers' Home, permanent fund (8t184).
- (63) Policemen and firemen's relief fund, District of Columbia (Dc614).
- (64) Chamber Music Auditorium, Library of Congress (0s259).
- (65) Bequest of Gertrude Hubbard (0t256).
- (66) Puerto Rico special fund (Internal Revenue).
- (67) Miscellaneous trust funds, Department of State.
- (68) Funds contributed for improvement of (name of river or harbor).
- (69) Funds advanced for improvement of (name of river or harbor).
- (70) Funds contributed for Indian projects.
- (71) Miscellaneous trust funds of Indian tribes.
- (72) Ship's stores profits, Navy (7s985).
- (73) Completing surveys within railroad land grants (4t186).
- (74) Memorial to Women of World War, contributions (0c075).
- (75) Funds contributed for Memorial to John Ericsson (0s163).
- (76) American National Red Cross Building, contributions (0c426).
- (77) Expenses of Smithsonian Institution, trust fund (principal) (0t596).
- (78) Civil Service Retirement and Disability Fund (0t843).
- (79) Canal Zone Retirement and Disability Fund (0t850).
- (80) Foreign Service Retirement and Disability Fund (1t560).
- (81) Estates of decedents, Department of State, trust fund (1t580).
- (82) Funds due incompetent beneficiaries, Veterans' Administration (0t852).
- (83) To promote the education of the blind (principal) (2t092).
- (84) Paving Government road across Fort Sill Military Reservation, Okla. (8c664).
- (85) Bequest of William F. Edgar, Museum and Library, office of Surgeon General of the Army (8c504).
- (86) Funds contributed for flood control (name of river, harbor, or project).
- (87) Teachers' retirement-fund deductions, District of Columbia (Dc624).
- (88) Teachers' retirement fund, Government reserves, District of Columbia (Dc627).
- (89) Matured obligations of the District of Columbia (2t070).

SEC. 23. Hereafter all checks drawn on the Treasurer of the United States shall be payable only until the close of the fiscal year next following the fiscal year in which such checks were issued, and the amounts of all such checks properly due and payable which have not been presented for payment within such period shall be deposited into the Treasury to the credit of a trust fund account entitled "Outstanding liabilities (fiscal year)", designated by fiscal years in which the checks were issued. The balances in the outstanding liabilities account now carried on the books of the Government, representing the amounts of unclaimed checks, shall be transferred to the account "Outstanding liabilities, 1934", and any balances remaining therein, or in any succeeding fiscal year account, unclaimed for 2 fiscal years after the deposit therein shall be covered into the surplus fund of the Treasury: *Provided*, That the balances to the credit of the outstanding liabilities account of any fiscal year which has not been covered into the surplus fund of the Treasury shall be available to pay claims on account of any check, the amount of which has been included in any balance so covered into the surplus fund.

SEC. 24. So much of the act of August 18, 1894 (U.S.C., title 43, sec. 863), as authorizes the Governors of the States therein named to advance money from time to time for the survey of certain townships located within such States, which money shall be reimbursable, is hereby repealed.

SEC. 25. All amounts received by the Government as liquidated damages and collections received as recoveries for erroneous and/or overpayments shall not be available for expenditure but shall be covered into the Treasury as miscellaneous receipts.

SEC. 26. Moneys in, or payable into, the registry of any United States court, in the discretion of the court, may be deposited in official checking accounts with the Treasurer of the United States, subject to disbursement on order approved by the court.

SEC. 27. The Comptroller General of the United States shall cause a survey to be made of all inactive and permanent appropriations and/or funds on the books of the Government and also funds in the official custody of officers and employees of the United States, in which the Government is concerned, for which no accounting is rendered to the General Accounting Office; and he shall submit to the Congress annually, in a special report, his recommendations for such changes in existing law relating thereto, as, in his judgment, may be in the public interest.

SEC. 28. The provisions of this act shall not be construed to alter or amend any existing authorization for an appropriation.

SEC. 29. All acts and/or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed to the extent of such inconsistency or conflict.

SEC. 30. The short title of this act shall be the "Permanent Appropriation Repeal Act, 1934."

The SPEAKER. Is a second demanded?

Mr. GOSS. Mr. Speaker, I am not opposed to the bill, but in order that we may have a hearing I demand a second.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, this is a rather long bill, covering nearly every agency of the Government. I expect to explain it, and there may be many questions asked which will need an answer. I therefore ask unanimous consent that the time be extended to 40 minutes on a side.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BRITTEN. Reserving the right to object, and I may not object, there are a number of important bills scheduled for consideration this afternoon.

Mr. BLANTON. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. BLANTON. This bill, as my colleague knows, will stop 367 back-door appropriations that come out of the back door of the Treasury. Nothing could be more important than this bill, as it will save millions of dollars annually.

Mr. BRITTEN. The gentleman from Texas has convinced me already.



Mr. BLANTON. The gentleman from New York [Mr. GRIFFIN] has done wonderful work on the bill.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I believe it is fundamentally wrong to ask an extension of time on motions to suspend the rules. I believe 40 minutes is ample time.

Mr. GRIFFIN. Mr. Speaker, I am indifferent as to the length of time given to the bill. I thought I would leave it to the convenience of the House and ask for an extension; but if there is objection, I withdraw the request.

The SPEAKER. The gentleman from New York is recognized for 20 minutes.

#### CURRENCY RESERVE—PHILIPPINE ISLANDS

Mr. McDUFFIE. Will the gentleman yield to me for a moment?

Mr. MILLARD. Mr. Speaker, I make the point that no quorum is present.

Mr. McDUFFIE. Will the gentleman withhold that for a moment?

Mr. MILLARD. I will.

Mr. McDUFFIE. Mr. Speaker, the bill H.R. 9459 was referred to the Committee on Ways and Means. It is a companion bill to the one that the Committee on Insular Affairs has reported out dealing with the currency reserve of the Philippine Islands. I have discussed this with the ranking member, in the absence of the Chairman of the Ways and Means Committee, and it is thoroughly satisfactory to him to have it referred to the Committee on Insular Affairs. The Department requested it, in view of the fact that the same subject has been handled by the Committee on Insular Affairs. I ask that the bill be rereferred to the Committee on Insular Affairs, not that the committee is seeking additional work.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. What committee has the bill?

Mr. McDUFFIE. The Committee on Ways and Means.

Mr. MARTIN of Massachusetts. And the gentleman wishes it referred to the Insular Affairs Committee?

Mr. McDUFFIE. Yes; I am making that request.

Mr. MARTIN of Massachusetts. Has the gentleman discussed it with the Chairman of the Ways and Means Committee?

Mr. McDUFFIE. As I said, I have discussed it with the ranking member in the absence of the chairman, and also with another member of the Ways and Means Committee, and there is no objection. It is not of great importance.

Mr. MARTIN of Massachusetts. Mr. Speaker, I have no objection.

The SPEAKER. Is there objection.

There was no objection.

#### CALL OF THE HOUSE

Mr. MILLARD. Mr. Speaker, I suggest the absence of a quorum and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. Evidently there is not.

Mr. BYRNS. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 133]

|               |                  |              |             |
|---------------|------------------|--------------|-------------|
| Allen         | Brooks           | Cooper, Ohio | Ellenbogen  |
| Allgood       | Brown, Mich.     | Corning      | Fiesinger   |
| Andrew, Mass. | Brumm            | Crosby       | Fitzgibbons |
| Andrews, N.Y. | Bulwinkle        | Crowe        | Flannagan   |
| Ayers, Mont.  | Burke, Calif.    | Culkin       | Foulkes     |
| Bacon         | Cannon, Wis.     | Darrow       | Frear       |
| Bakewell      | Carley, N.Y.     | Delaney      | Fulmer      |
| Beam          | Carpenter, Nebr. | Dingell      | Gifford     |
| Beck          | Cary             | Douglass     | Greenwood   |
| Beedy         | Cavicchia        | Doutrich     | Griswold    |
| Berlin        | Celler           | Doxey        | Guyer       |
| Boehne        | Chapman          | Eagle        | Hamilton    |
| Boland        | Claborne         | Eaton        | Hart        |
| Boitou        | Coffin           | Edmonds      | Harter      |

|               |             |               |               |
|---------------|-------------|---------------|---------------|
| Hartley       | McLean      | Reld, Ill.    | Sullivan      |
| Hill, Knute   | McSwain     | Rogers, Mass. | Swank         |
| Jeffers       | Marland     | Rogers, N.H.  | Sweeney       |
| Jenckes, Ind. | Mead        | Rogers, Okla. | Swick         |
| Kennedy, Md.  | Milligan    | Romjue        | Taylor, Tenn. |
| Kennedy, N.Y. | Muldowney   | Sadowski      | Traeger       |
| Kerr          | Musielwhite | Schaefer      | Turpin        |
| Kramer        | Nesbit      | Schuetz       | Utterback     |
| Lamneck       | Norton      | Schulte       | Wadsworth     |
| Lanham        | O'Brien     | Shoemaker     | Waldron       |
| Larrabee      | O'Connell   | Simpson       | Walter        |
| Lehibach      | O'Malley    | Snell         | Weaver        |
| Lemke         | Pierce      | Snyder        | Williams      |
| Lesinski      | Prall       | Somers, N.Y.  | Withrow       |
| Lundeen       | Ransley     | Stalker       |               |
| McClintic     | Rayburn     | Stokes        |               |
| McFadden      | Reece       | Strong, Pa.   |               |

The SPEAKER. Three hundred and eight members have answered to their names, a quorum.

Mr. BYRNS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

#### PERMANENT APPROPRIATIONS

The SPEAKER. The gentleman from New York [Mr. GRIFFIN] is recognized for 20 minutes.

Mr. GRIFFIN. Mr. Speaker, this bill (H.R. 9410) is the first bill that has emanated from the Subcommittee on Permanent Appropriations of the Committee on Appropriations since 1914.

It is the culmination of a feeling of resentment which for several years has been manifesting itself in both Houses of Congress against the growth of permanent, automatic, and mandatory appropriations made by past Congresses to permit millions of dollars to go out of the back doors of the Treasury without the concurrence or consent of sitting Congresses.

Last year, the Senate in an amendment to the Treasury appropriation bill cut them out with one fell swoop of the ax. In conference, however, the amendment was withdrawn when the Senate conferees were informed that this Subcommittee on Permanent Appropriations of the House was making an intensive study of the subject.

For many years, the existence of these appropriations was not even mentioned in the annual estimates. Lately, all reports on departmental appropriation bills carried a summary of permanent appropriations affecting the respective departments but the summaries were far from complete.

For instance, the 1934 Budget estimates revealed 115. In the 1935 Budget there appeared 117.

In our researches we unearthed 253 more of them and even while we were working on the subject another bill of this character slipped through and is now a law. It is, however, corrected in the present bill.

It is clearly a violation of article I, section 9, subparagraph 7 of the Constitution, which provides:

No money shall be drawn from the Treasury but in consequence of appropriations made by law; and

A regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

It ought to be emphasized that not only do permanent appropriations violate the spirit and intent of the Constitution but in the process of administration of the vast majority of them the mandate to make "a regular statement and account of the receipts and expenditures" is utterly ignored.

If that mandate was ever at any time observed, it is certain that for many years Congress has never had furnished it by the disbursing agencies any such regular statement or account of receipts and expenditures.

It is maintained that neither by ethics, by logic, nor by constitutional authority has any one Congress the right to bind the hands of posterity by the enactment of laws mandatorily calling for automatic withdrawals from the Federal Treasury without annual examination, approval, and supervision of succeeding Congresses.

It is the conclusion of the committee, after hearing numerous witnesses, that permanent appropriations are a vicious usurpation and invasion of the rights of sitting Congresses; that they complicate bookkeeping in the office of the Treasurer and the Division of Bookkeeping and Warrants of the

Treasury Department; make auditing in the Comptroller General's Office difficult; conceal from Congress many avenues of receipts and expenditures (which in itself is an invitation to extravagance), and, for lack of proper annual disclosure, make the work of the appropriations subcommittees conjectural and uncertain—many of the agencies of our Government receiving these invisible permanent allotments, as well as annual appropriations, for the same purposes.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I prefer to answer questions when I have concluded my main statement.

This vicious practice of usurping the rights of succeeding Congresses has been going on since 1799. In 1910 Congress revolted for a time. A subcommittee of the Committee on Appropriations, headed by Mr. George R. Maltby, was appointed to look into the matter, and upon his recommendation the sundry civil appropriation bill of June 25, 1910, repealed the permanent appropriations for the Steamboat Inspection Service and the Shipping Service. Also, the Customs Service, which had been half permanent and half annual, was, under the act of May 24, 1912, put on an annual basis. That was all that was done at that time. That is as far as they were willing to go.

Then Mr. William P. Borland, of Missouri, was appointed the head of the subcommittee on permanent appropriations, and he made an extensive and exhaustive study of this subject, particularly on reclamation, and as a result of his labors, under the act of August 13, 1914, the Reclamation Service was put on an annual basis. (A more detailed history of the background is to be found in the introduction on page 1 of the hearings.)

Last year a committee was appointed by the then head of the Appropriations Committee, the Honorable JOSEPH W. BYRNS, now our esteemed majority leader, consisting of myself as chairman, Mr. William C. Wright, now deceased, Mr. W. W. Hastings, Mr. Louis Ludlow, Mr. Michael J. Hart, Mr. Burton L. French, Mr. Frank Murphy, and Mr. John Taber. This committee held a number of hearings, but the Seventy-second Congress adjourned before it got fairly started. Those who survive and are in Congress today are Mr. HASTINGS, Mr. LUDLOW, Mr. HART, Mr. TABER, and myself. Thanks are due them for their help in beginning this difficult task.

In the present Seventy-third Congress the Chairman of the Committee on Appropriations, the Honorable JAMES P. BUCHANAN, appointed a subcommittee on permanent appropriations, consisting of myself as chairman, Mr. McMILLAN, Mr. PARKS, Mr. CARY, Mr. GOSS, and Mr. WIGGLESWORTH, and we began our study of these permanent appropriations as soon as we could get down to it after the members of the committee had finished their work on other subcommittees. At this point I want to pay my sincere tribute to the activity and energy and loyalty of the members of this committee in the preparation of the agenda under which the hearings were held, and in the preparation of the bill. I have never seen a committee that worked so hard and so studiously, attentively, as this committee on permanent appropriations, and the bill which I present to you today has their unanimous support, as well as that of the entire Committee on Appropriations. I also pause to pay tribute to the clerks in the Committee on Appropriations. Mr. Jack McFall, who worked with us during the hearings, prepared the witnesses and got the program out for each day. He worked far into the night. Also I pay tribute to Mr. James Scanlon, who prepared the cross-reference indices to these hearings. They deserve the highest praise for their industry and devotion.

Letters were sent out to each department and Government agency for precise information which, when received, formed the basis of the examination.

Much time was thereby saved. The examination was kept within proper limits, and no witness was taken by surprise.

The hearings contain nearly a thousand pages and embody a history of every permanent appropriation from 1799 down to within the past month.

## THE INDICES

The indices to which I have referred will enable you to find at a moment's notice any permanent appropriation. First is the agenda number, then the department it refers to, then the page of the hearings. Then the cross-reference index, which gives the title of the permanent appropriation, the department to which it refers, the page number of the hearings, and the agenda number. Furthermore, in appendix A there is a fiscal breakdown of these permanent appropriations. In appendix B there is a historic alignment of all these permanent appropriations from 1799, giving the name, the type of the appropriation, the date of the original act, and the amendatory legislation.

## THE BUDGET DIRECTOR APPROVES

Not only is this a unanimous report from the Committee on Appropriations itself, but it has the approval of the Budget officer in a letter which he wrote to me, as follows:

BUREAU OF THE BUDGET,  
Washington, May 4, 1934.

MY DEAR CONGRESSMAN GRIFFIN: In response to your telephone message, I have to advise that the bill (H.R. 9410) providing that permanent appropriations be subject to annual consideration and appropriation by Congress, and for other purposes, is in accord with the financial program of the President. The bill will go a long way toward simplifying the bookkeeping of the Treasury Department and the preparation of the Budget, and will, I am sure, have the effect of materially reducing the expenditures of Government.

Yours very truly,

L. W. DOUGLAS, *Director*.

Now, coming to the bill itself, it is rather a long bill, containing a great many items. I want to put in the RECORD at this point an index of the annotations or symbols used in the bill for convenience of reference.

(The statement is as follows:)

## SYMBOLS USED IN THE BILL

(Each item of the bill is identified on the books of the Government by a group of figures and letters.)

## First numbers

0. Legislative, executive and independent offices.
1. Justice Department.
2. Treasury Department.
3. Agriculture Department.
4. Interior Department (proper).
5. Interior Department (Indian).
6. Commerce Department.
7. Navy Department.
8. .001 to 899 War Department (proper).
8. X900.01 to 8X999.99 War Department (river-and-harbor projects).
9. X001 to 9X099 (Panama Canal).
9. 100 to 9-349 Post Office Department.
- DC-001 to DC-650, District of Columbia.

Mr. GRIFFIN. The first digit thus represents the department; the second letter represents the character of the fund. Thus "x" represents "general funds"; "s" represents "special funds"; "c" represents "contributed funds"; and "t" represents "trust funds", while a dash (—) represents the fiscal year.

Now, taking at random an entry in the bill, page 16 of the bill, line 8, subdivision 3: "Replacing subsistence of the Army", you will see the figures 8s666, which means the War Department, special fund, and number of the account. The figure "8" stands for the War Department wherever it is used. "s" means the special fund, and "666" is the title of the account. So on through the others. They are all described by Treasury symbols which they have adopted in their books, and which identify them more particularly than a reference to the law itself, but the laws themselves are set out in full in the index at the end of the hearings.

Mr. DOWELL. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. DOWELL. No doubt the committee has given this matter very careful consideration and has devoted a great deal of time to the preparation of the bill, but those of us who have not had an opportunity to investigate it as the



committee has done, of course, must accept the report of the subcommittee. May I ask if, in repealing the appropriation, the law has been repealed which would authorize these annual appropriations?

Mr. GRIFFIN. Generally only the part of the law that makes the appropriation has been repealed. All of the items repealed in the first section have been recommended by the respective departments. The laws repealed are obsolete.

Mr. DOWELL. And your committee has confined itself to the repeal of the appropriation?

Mr. GRIFFIN. Yes; except where we repeal laws that are obsolete.

Mr. DOWELL. That is, the permanency of the appropriation?

Mr. GRIFFIN. Yes.

Mr. GOSS. In all instances except two or three here, and in the others we have repealed the entire law, and not even left the authorization where it has become evident to the department that it is no longer necessary.

Mr. DOWELL. That is what I wanted to get at.

Mr. PETTENGILL. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. PETTENGILL. Will the gentleman state in the aggregate the total number of dollars that have been disbursed annually under these various items not covered by annual appropriations?

Mr. GRIFFIN. You will find that in appendix A, at the back of the hearings.

Mr. PETTENGILL. About how much is it?

Mr. GRIFFIN. It amounts to over \$2,000,000,000.

Mr. PETTENGILL. I congratulate the gentleman and his committee upon the splendid work they have done.

Mr. GRIFFIN. At this point I want to insert a summary of the bill and also a table of the items excluded:

#### SUMMARY OF THE BILL H.R. 9410

Section 1. Sixteen items, all dead or obsolescent, all therefore repealed.

Section 2. Balances in certain accounts transferred to surplus fund of Treasury and authorizations made in identical terms and amounts as now provided by the permanent appropriations repealed.

Section 3. Accounts, largely inactive, repealed and unobligated balances covered into the Treasury.

Section 4. Special funds abolished. Authorizes excess over receipts to be appropriated following year.

Section 5. Special funds abolished. Authorizes excess over receipts to be appropriated in same year.

Section 6. Patent Office and Alaska Railroad. Special funds abolished; revenue to go to miscellaneous receipts.

Section 7. Prize money to captors; \$485,000 remains in these accounts to go into surplus funds of Treasury. Also similar items to be treated in same way.

Section 8. Recreation fund, army \$800,000; \$32,000 represents Stars and Stripes fund. All covered into Treasury.

Section 9. Naval Hospital Fund from six sources; to be covered into the surplus fund of Treasury.

Section 10. Receipts of fines and forfeitures imposed by naval courts martial covered into Treasury.

Section 11. Naval pension fund. Found a fiction. Abolished. Matter is now a subject of annual appropriations.

Section 12. Replacement of transportation, clothes, medical supplies, ordnance, and so forth. Credits receipts to current appropriation.

Section 13. National-bank examiners; contingent expenses of the national currency; salaries of deputy comptroller and office; Home Loan Bank Board and assessments on railroads; special funds derived from assessments abolished and made subject of annual appropriation.

Section 14. Unpaid money orders—similar to paragraph 2—abolished. Balance unexpended covered into Treasury.

Section 15. District of Columbia items, similar to group in section 1, except they go into the Treasury to the credit of the District of Columbia (dead accounts).

Section 16. Refunding water rents, taxes, and so forth, District of Columbia. Made subject to annual appropriation.

Section 17. Naval Reserve material account (a war-time account) repealed (balance (\$28,000) inactive).

Section 18. Certain receipts heretofore credited to "Pay miscellaneous" (Navy) repealed.

Section 19. Unclaimed moneys—establishes a new account on books of Government to be designated "Unclaimed moneys of individuals whose whereabouts are unknown."

Section 20. Establishes new accounts on books of Government to be designated "Refund moneys erroneously received and covered."

Section 21. Unearned moneys held in official checking accounts of disbursing officers abolished and shall be charged to appropriately designated trust funds in Treasury, to wit, patent fees, unearned moneys, lands (Interior Department), reentry permit fees (Labor Department), naturalization fees (Labor Department), and registry fees (Labor Department).

Section 22. Establishes and confirms certain trust accounts, bringing them under supervision of Congress and directing that they be expended in compliance with the terms of the trust.

Section 23. Confining negotiability of checks drawn on Treasury to 1 year. Establishes a trust fund entitled "Outstanding liabilities, 1934."

Section 24. Advance of moneys by Governors of States for land surveys. Repealed.

Section 25. Moneys due the Government for overpayments, and so forth, shall not be available for expenditures, but shall be covered into the Treasury as miscellaneous receipts.

Section 26. Moneys in courts may be deposited in official checking accounts with the Treasurer of the United States, subject to disbursement on order approved by the court.

Section 27. The Comptroller General shall cause a survey of all inactive or permanent appropriations or funds.

Section 28. Saving clause, not to alter or amend any existing authorization.

Section 29. All acts inconsistent with repealed.

Section 30. Short title.

(The table referred to is as follows:)

#### Items excluded

| Name of appropriation account                           | Type of fund       | Reasons for not including item in the bill |
|---|--------------------|--|
| Farm Credit Administration:                             |                    |  |
| Emergency farm credit relief                            | Special fund       | Recently created—no hearing.               |
| Joint stock land bank liquidation and emergency funds   | do                 | Do.  |
| Farm mortgage loans                                     | do                 | Do.  |
| Interior Department:                                    |                    |  |
| Cooperative vocational education in agriculture         | Permanent specific | Reason assigned in report.                 |
| Cooperative vocational education in trades and industry | do                 | Do.  |
| Cooperative vocational education teachers, etc.         | do                 | Do.  |
| Colleges for agriculture and mechanic arts              | do                 | Do.  |
| Shipping Board: Construction loan fund                  | Special fund       | Revolving fund for loans.                  |
| Agriculture Department:                                 |                    |  |
| Processing tax funds                                    | do                 | A. A. A. Act is temporary.                 |
| Agricultural extension work                             | Permanent specific | Reason assigned in report.                 |
| Interior Department:                                    |                    |  |
| Boulder Dam fund  | Special fund       | Revolving fund, self-liquidating project.  |
| Reclamation fund  | do                 | Annually appropriated for.                 |

Items excluded—Continued

| Name of appropriation account                                    | Type of fund              | Reasons for not including item in the bill   |
|--|---------------------------|--|
| Navy Department:<br>Clothing and small stores fund.....          | Special fund.....         | Working funds—already have control over their operation through annual appropriations. |
| Navy supply account.....   | do.....                   | Do.  |
| Navy working fund.....   | do.....                   | Do.  |
| Veterans' Administration: Adjusted-service certificate fund..... | do.....                   | Held in trust.   |
| Postal revenues fund.....  | do.....                   | In class by itself.  |
| Treasury Department:<br>Sinking fund.....                        | Permanent indefinite..... | Wholly a matter of bookkeeping.  |
| Interest on the public debt.....                                 | do.....                   |  |
| Miscellaneous items connected with debt refunding.....           | do.....                   |  |

Mr. McCORMACK. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. McCORMACK. I notice there is some feeling of disturbance with reference to the retirement fund; that is, those who have had deductions from their pay and which now stands to their credit, and whose services have been severed for reasons other than for cause, and who are allowing the money to remain in there.

Mr. GRIFFIN. I understand what the gentleman is referring to. He is referring to an article in the Washington Herald today?

Mr. McCORMACK. Yes; exactly.

Mr. GRIFFIN. Now, that article is not strictly veracious. When I saw it I sent for Mr. Alcorn, who is legislative agent for the employees, and he said that the bill was perfectly satisfactory to him; that he understands that this transfer of accounts in the Treasury for moneys due to persons separated from the service, and who have disappeared for a time, is perfectly proper. It keeps the money in the Treasury and makes it possible for an individual to obtain his money when he turns up to claim it. The civil-service fund, the pension fund, and all other funds are amply protected by the terms of this bill. We have not impaired or threatened a single one of them.

At the present time the money may be paid out by the disbursing officer's department on inadequate proof with consequent risk of forgery and misrepresentation. The claimant now is really benefited by the provisions of this bill.

Mr. McCORMACK. I am concerned whether there is necessity for fear on the part of those who might have money in the retirement fund that they cannot get it out.

Mr. GRIFFIN. Absolutely not.

Mr. McCORMACK. I wanted that cleared up.

Mr. GRIFFIN. I am glad the gentleman brought the matter to the attention of the House.

[Here the gavel fell.]

Mr. GOSS. Mr. Speaker, I yield the gentleman such additional time as he desires.

#### TRUST-FUND SECTION

Mr. GRIFFIN. The trust-fund section of the bill covers 89 items and is perhaps one of the most important sections in the bill. There is evidently some confusion as to its interpretation, so it would seem to be proper to make this explanation: The object of this section is to collect all the trust items under one head.

Take, for instance, the item we have just been discussing, namely:

#### CIVIL SERVICE RETIREMENT AND DISABILITY FUND

This item falls under section 22 and is number 72 on page 32 of the bill. It is identified on the books of the Government by the figures in parentheses, namely "0t843."

I have heretofore explained the significance of the symbols used in identifying the various items on the books of the Government.

The "0" signifies that the item is maintained on the books of the Government under the heading "Legislative, Executive, and Independent Offices." The letter "t" signifies that it is maintained as a "trust fund." That is its present status, and with respect to that item this bill makes no change whatever. The reason why the item is at all mentioned in the bill is to confirm its present classification on

the books of the Treasury as a "trust fund." The object is to put all the trust funds in one classification to simplify bookkeeping. It does not impair or reduce the principal of the funds or the provisions of law respecting their disbursement. In fact, the bill unequivocally declares:

All moneys accruing to these funds are hereby appropriated, and shall be disbursed in compliance with the terms of the trust.

No language could make it any clearer.

It will be noted that other items among the 89 in this section of the bill are designated by the letter "s" (meaning special funds). That indicates that they are transferred from "special" status and put in the category of "trust funds."

#### THE SURPLUS-FUND PROVISIO

This proviso of section 22 reads as follows:

*Provided further, That on June 30 of each year there shall be covered into the surplus fund of the Treasury such portion of the balances in any trust-fund account hereinbefore or hereafter listed or established which have been in any such fund for more than 1 year and represent moneys belonging to individuals whose whereabouts are unknown, and subsequent claims therefor shall be disbursed under the appropriation account "Unclaimed moneys of individuals whose whereabouts are unknown", authorized to be established in section 19 of this act.*

This proviso is simply a time-saving bookkeeping device. Its object is to put all unclaimed money accounts under one head, so that they may be identified on the books of the Government. The transfer does not impair the principal of the fund or make the unclaimed moneys less available. On the contrary, it really makes them more easily identifiable and, if anything, more accessible when the parties who are entitled to them turn up to claim them.

Putting them in the surplus fund is, in fact, a protection to them and removes all danger of their being merged in the general trust fund. So all this talk of confiscation of the employees' contribution to the retirement fund is utterly unfounded and ridiculous.

Further, Mr. Speaker, I wish to assure the House that in every case where a fund is transferred from one account to another to the Treasury in the manner provided in the bill, provision is always made that the original purpose of the act shall not be impaired; for instance, pension moneys, moneys for unknown claimants.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. McCORMACK. In other words, if there is a continuing appropriation of \$5,000,000, under the operation of the pending bill, if the Committee on Appropriations thought the activity should have only \$3,000,000 for the ensuing fiscal year they could make that recommendation?

Mr. GRIFFIN. No such condition as that may exist. The section I have been discussing deals only with matters where there is a specific sum due to the party in the matter of claims.

Mr. McCORMACK. I am talking about the continuing appropriations—the permanent appropriations.

Mr. GRIFFIN. We do not continue any appropriations.

Mr. McCORMACK. Let us assume that this bill becomes a law, that a person has money in the retirement fund which is covered into the general fund of the Treasury; would it



be necessary in order for the person to get the money back to have a private bill introduced in Congress?

Mr. GRIFFIN. No; we take care of that in the bill.

Mr. McCORMACK. That is taken care of.

Mr. GRIFFIN. That is taken care of.

Mr. CONDON. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. CONDON. Section 8 of the bill provides that, effective July 1, 1935, the appropriation account on the books of the Government entitled "Recreation fund, Army", is abolished, and the balance thereof shall be covered into the surplus fund of the Treasury.

In the first instance this money did not come from the Federal Treasury, did it?

Mr. GRIFFIN. No; that money came from the Army canteens and entertainment activities conducted by the Army for the benefit of the men. This money is to be used for their entertainment during war time. A part of this item of \$800,000 is \$32,000 which is called the "Stars and Stripes fund." This money was carried in a private bank. It never was in the Treasury. The Government did not have the benefit of interest on it or the use of it. It did not show up in the possible assets of the Treasury, but was kept in abeyance, kept in the air, so to speak, subject to disbursement by the Secretary of War. My colleague, Mr. Goss, of Connecticut located this item and had it put in a special fund in the Treasury, where its safety was guaranteed. It is now a part of this bill, the only change being to put it in the surplus fund of the Treasury.

Mr. CONDON. By this act we are to cover into the Treasury \$800,000 that did not originally come from the United States Treasury but came from profits derived from the operation of agencies of the Government during war time?

Mr. GRIFFIN. Yes.

Mr. CONDON. Is there any provision in the bill for the return of the \$800,000 should such an emergency arise again?

Mr. GRIFFIN. Yes; there is in the original law.

Mr. CONDON. Where is it to be found?

Mr. GRIFFIN. The present law itself provides that the money shall be used for recreation in time of war. So, if such an occasion ever arises this money may be made available.

Mr. CONDON. Will it be made available without another act of Congress?

Mr. GRIFFIN. I do not think so under the terms of this bill.

Mr. CONDON. It seems to me that ought to be so.

Mr. GRIFFIN. That is a matter of argument. The committee covered this matter very thoroughly and came to the conclusion that whatever went into the Treasury should not be taken out except by the cognizance, the supervision, and the approval of Congress.

Mr. CONDON. But that was based upon the assumption that the money originally appropriated, or authorized to be appropriated, came out of the Treasury.

Mr. GRIFFIN. There was no such assumption.

Mr. CONDON. But this \$800,000 never came out of the Treasury to begin with.

Mr. GRIFFIN. No; but we have safeguarded the fund. As it is under existing law, in the event of war, the fund would be automatically disbursed by any disbursing officer. Now, under the terms of this bill, an appropriation would be required.

Mr. CONDON. What I am interested in is having the \$800,000 automatically become available during another emergency.

Mr. GRIFFIN. And we want to get away from these automatic appropriations.

Mr. CONDON. But this money did not come out of the Treasury originally.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. McCORMACK. Existing law specifically provides that this money shall be spent only for recreational purposes in time of war.

Mr. COCHRAN of Missouri. The existing law provides that. We are not repealing that part.

Mr. GRIFFIN. We have to declare war to call upon it. First of all you have to declare war, which would require an act of Congress. Then after you declare war you have to provide for munitions, and so forth, and then coincident with that would come an appropriation providing for the use of the Stars and Stripes fund and the other fund which we have put into the Treasury. The United States Treasury is a better custodian of that money than a private bank.

Mr. CONDON. But this is converted into the general fund of the Treasury.

Mr. GRIFFIN. It is covered into the surplus fund of the Treasury for its protection. Formerly it was kept in private banks, and the committee ascertained it had been used for unauthorized purposes.

Will the gentleman from Connecticut yield me 2 minutes to conclude?

Mr. GOSS. I yield the gentleman 2 additional minutes.

Mr. GRIFFIN. I want to yield 2 minutes to the gentleman from Texas.

Mr. GOSS. Is the gentleman through with his statement?

Mr. GRIFFIN. I am through.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, this bill has the unanimous endorsement of all 35 members of the Committee on Appropriations. May I commend especially the subcommittee headed by the distinguished gentleman from New York, Mr. GRIFFIN, for the hard, able, effective, and valuable work that he and the other Members of the Committee have been doing in bringing out this bill, with the help of the splendid clerk, Mr. Jack McFall, who has been of great assistance to them?

I do not know whether the chairman called attention to this or not, but the bill stops 367 back-door appropriations that for 135 years have been going out of the back door of the Treasury of the United States without any accounting by all to the Congress. Hereafter, they will have to come to Congress every year before they get money. There are only four indeterminate permanent appropriations left after we pass this bill.

May I say, Mr. Speaker, that this is the last Congress in which I shall serve that I will vote for another appropriation of money to be turned over to and spent by somebody else just as they choose, regardless of the wishes of Congress. Hereafter the money that is going to be spent in this Nation that I will help to appropriate is not only going to be controlled by the Congress, but the Congress itself is going to say exactly how the money is going to be spent. [Applause.] We are not going to turn over hundreds of millions of dollars to some Cabinet officer who will arrogantly snap his fingers at Congress, and ignore the wishes of Congress, but we are going to know when, how, and where it is going to be spent. I hope in this new bill, which the distinguished gentleman from Texas [Mr. BUCHANAN] is now preparing, that he will earmark every dollar of the money in order that Congress will know when the bill is passed exactly how the money is going to be spent. [Applause.]

[Here the gavel fell.]

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I am in hearty accord with the principle embodied in this legislation. I think that legislation in the general field of permanent appropriations is absolutely essential, and I believe that it can result in the saving of many millions of dollars for the people of this country.

I take this opportunity, as a member of the subcommittee which has had charge of this bill, to pay my tribute to the gentleman from New York [Mr. GRIFFIN] for his painstaking and effective work as chairman of the committee with a view to the presentation of this bill to the House at this time.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Missouri.

Mr. COCHRAN of Missouri. I really think that the House and the country owe a debt of gratitude to the gentleman from Connecticut [Mr. GOSS], who has stood on this floor for years protesting against these permanent appropriations. It was his protests that brought about this investigation and the introduction of this bill. I say this on behalf of the gentleman, feeling that we should extend credit where credit is due. [Applause.]

Mr. WIGGLESWORTH. I am glad to join in every word that the gentleman from Missouri has said in respect to my able and forceful colleague from Connecticut, Mr. GOSS.

Mr. Speaker, it is an amazing discovery to find that there are today on the Federal statute books no less than 370 so-called "permanent appropriations"—370 pieces of legislation calling for mandatory expenditure in each and every year without any consideration whatsoever by Congress—amounting, according to estimates for the fiscal year 1935, to well over \$2,300,000,000.

These automatic appropriations exist because preceding Congresses have seen fit, perhaps without realizing the importance of the matter, to legislate in permanent terms rather than in those of authorization for annual appropriation subject to annual approval by the Congress. They exist also because the several attempts by other Congresses to eliminate them have never been fully consummated.

Sometimes the amounts payable are definitely specified. More often they are left indefinite, being dependent entirely upon the decision of the administrative authority concerned. Payments are made year after year without justification to Congress, without approval or supervision by Congress. They have been aptly characterized as "invisible appropriations."

The existence of these permanent appropriations serves in instance after instance to deprive the Congress of power which it should possess and exercise in the national interest. It serves to conceal the real facts in regard to the receipts and expenditures of the National Government. It serves to complicate bookkeeping and to impede auditing by the appropriate officials of the National Government. Merely to state that there are 370 avenues of appropriation which Congress does not control—370 unguarded doors, if you will, to the Treasury of the United States—is to demonstrate conclusively the urgent necessity of appropriate legislation.

The bill under consideration is directed at the evils referred to. A summary of its provisions appears in a very complete committee report. More detailed information will be found in the nearly 1,000 pages of hearings held in connection with its preparation.

The bill provides for the repeal of certain permanent appropriations no longer required. It impresses upon others a trust status, with authority for expenditure in accordance with the terms of the several trusts. By its principal provisions it aims to substitute for appropriation of permanent character authorization for annual appropriation on an equivalent basis, assuring continuing supervision by Congress.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. FITZPATRICK. Could the gentleman give to the Congress any idea as to what the actual saving will be each year from this bill?

Mr. WIGGLESWORTH. The saving is problematical. It depends upon the action of Congress from year to year. It is impossible to state a definite figure, but the door to administrative appropriation is largely closed.

The bill does not deal with all existing permanent appropriations. A few have been excepted for reasons indicated in the report. It does, however, deal with the great bulk of those known to exist at this time, and it does make provision for such further action as may be desirable in the future by requiring an annual survey and special report with recommendations to the Congress by the Comptroller General

of the United States. This provision, embodied in section 27 of the bill, assures the opportunity for continuing supervision.

The end in view, as I hope every Member of the House will appreciate, is to reestablish in Congress appropriate control insofar as practicable over every avenue of appropriation.

[Here the gavel fell.]

Mr. GOSS. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. WIGGLESWORTH. I join with the gentleman from Texas in urging upon the Members of the House the importance not only of supporting this principle at this time but also of continuing support to the end that the tendency to create further appropriations of permanent character may be definitely eliminated. [Applause.]

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. CARY].

Mr. CARY. Mr. Speaker, I truly believe this is the most important piece of legislation that has been brought before this Congress. I believe it will do more to protect the Treasury of the United States against raids that are constantly made upon it than any piece of legislation that has been presented here. In short, all this legislation means is to stop these annual, recurring appropriations and to make the Departments come before the Congress and submit their estimates and then have their appropriations set out in an appropriation bill.

Mr. Speaker, you cannot take the Budget of this country now and tell anything about it as long as these appropriations continue. You cannot look at a balance sheet of this Government and tell what it means when we have millions of dollars that are hidden away and go out through the back door by this sort of appropriation.

For instance, this thing is happening which this bill will correct. Up to the last fiscal year, salaries and expenses of national-bank examiners were paid from assessments levied on the national banks, the assessments being permanently appropriated for this purpose. Even the freedom from congressional control that goes with a permanent appropriation was apparently not sufficient latitude to satisfy the administrative officers, for we find a provision in the Banking Act of 1933 that the money derived from these assessments are not Government funds nor appropriated moneys, with a result that the Comptroller of the Currency collects these funds and pays the examiners and fixes their salaries, and Congress never has any supervision over them at all. Thus, in the case of these expenses, Congress has lost not only the right to make annual appropriations, but has surrendered the right to make any appropriations at all. This bill stops that and each year they must come to the Congress and submit an estimate showing what they need and then let the Congress pass upon the appropriation. [Applause.]

This is a real economy measure and will undoubtedly result in a savings of millions of dollars every year to the Federal Treasury. The Subcommittee on Standing Appropriations has spent weeks investigating this subject and the information gathered has been most astounding. A casual reading of the report upon this bill will convince every Member of the House that this bill should pass and these back-door appropriations stopped.

These standing appropriations encourage extravagance in the Departments and various branches of the Government and should not be tolerated. All moneys that go into the Treasury should only be taken out by appropriation of the Congress after having been examined and passed upon by the Appropriations Committee. In this and no other way can proper protection be given to the public funds. I urge you to support this measure. [Applause.]

Mr. GOSS. Mr. Speaker, I yield myself the remainder of the time.

Mr. BUCHANAN. Mr. Speaker, I desire to ask my colleague a question, if he will yield.

Mr. GOSS. I yield to the chairman of our committee.

Mr. BUCHANAN. Does not the gentleman believe that the very fact that the officers who disburse or spend this



money will know they will have to come before the Appropriations Committee and before Congress to justify their actions will have a salutary effect on the efficiency of expenditures?

Mr. GOSS. Absolutely.

Mr. BUCHANAN. This bill extends this protection to all the present permanent appropriations except four in the Federal Government, and does not my colleague believe that there should be some reviewing system followed by the Congress with respect to every cent that is expended by any department or any Government corporation?

Mr. GOSS. I certainly do; and I will say to the chairman of our committee that I hope before this Congress adjourns he will see to it that all the money in the P.W.A. fund is earmarked, and, further than this, that the P.W.A. cannot spend one dollar of Government money unless it has been authorized by the appropriate legislative committee of the House. [Applause.]

I hope we can get this type of legislation presented on the floor here. If we get such legislation and this bill goes over to the other body, if that body will keep it as clean as this committee has—and, believe me, we have had to take it on the chin and have had to do a number of unpopular things in respect of this bill—we will save our Government millions and millions of dollars. I hope the gentleman will use his influence, as I know he will, to help to protect the bill in the other body.

Mr. BUCHANAN. The question I was addressing to the gentleman was this: I believe this bill will go through both Houses of Congress, but we have a good many corporations now organized or being organized that are obligating the Government for vast sums of money and there is no power of review by the Congress. In other words, in my opinion, we ought to have a whip like a school teacher has over his children. We may not have to use it, and I do not think we will, but the fact we have it will make for more efficient administration.

Mr. GOSS. I agree with the gentleman absolutely.

Mr. HASTINGS. Will the gentleman yield?

Mr. GOSS. I yield to my colleague on the committee.

Mr. HASTINGS. Does not the gentleman think it would be in the interest of economy if we would quit making so many lump-sum appropriations and require more details with respect to all of these appropriations, so they will be more closely supervised?

Mr. GOSS. Absolutely. The gentleman is very familiar with the type of appropriations that come to us in every bill and I know he is opposed to appropriations of that kind.

Mr. HASTINGS. I have always opposed them, and I may say to the gentleman that a bill is now pending before the legislative Committee on Indian Affairs asking for lump-sum appropriations instead of itemized appropriations.

Mr. SABATH. Will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Illinois.

Mr. SABATH. Congress has been accused and abused for years for large expenditures when, in fact, millions and millions of dollars have been expended over which Congress has had no control.

Mr. GOSS. That is true, and I want to say right now that this bill ought to pass this House in a few minutes without a dissenting voice. The vote should be unanimous and if we can get it I am going to ask for a division so that another body may see that the vote is unanimous.

[Here the gavel fell.]

The SPEAKER. The question is on the motion of the gentleman from New York to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. Goss) there were—ayes 230, noes none.

So (two thirds having voted in favor thereof) the rules were suspended and the bill was passed, and a motion to reconsider was laid on the table.

#### PROMOTION PARITY IN COAST GUARD

Mr. WARREN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8644) to provide warrant officers

of the Coast Guard parity of promotion with warrant officers of the Navy.

The Clerk read the bill as follows:

*Be it enacted, etc.,* That section 10, chapter 742, act of July 3, 1928 (44 Stat. 817; U.S.C., title 14, sec. 219), is hereby amended to read as follows:

"Warrant officers of the Coast Guard who have completed or shall hereafter complete 6 years' permanent service as such shall, after passing satisfactorily such examinations as the Secretary of the Treasury may prescribe, be commissioned chief warrant officers shall receive the same pay, allowances, and benefits as officers of the Coast Guard, and such chief warrant officers shall receive the same pay, allowances, and benefits as chief warrant officers of the Navy of like length of service: *Provided*, That a chief warrant officer promoted from the grade of warrant officer shall suffer no reduction in pay by reason of such promotion."

The SPEAKER. Is a second demanded?

Mr. BUCHANAN. I demand a second.

Mr. WARREN. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. WARREN. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, there has always been the greatest admiration for men who "go down to the sea in ships." The history of the United States Coast Guard, both in war and in peace, has been one of the grandest epics of the Nation. I believe as an organization they are closer to the American people than any other branch of the service, and its unsung heroes are on every coast line of our country.

This bill seeks to wipe out the last remaining and only discrimination now existing in law between the Navy and the Coast Guard.

It provides that after a warrant officer in the Coast Guard has completed 6 years of service, upon satisfactory examination he may be promoted to the position of chief warrant officer, as now exists in the Navy.

Now, mind you, before he can become a warrant officer he must have patrolled his lonely vigil on those beaches of our coasts for anywhere from 15 to 25 years—before he can reach that grade, and he must remain in that grade at least 6 years before he is entitled to this other promotion.

The cost of this measure is absolutely negligible. The highest it will ever cost is \$84,000 a year, and that will not be reached until 1939.

This legislation, gentlemen of the House, is simply a question of fairness. The Coast Guard at the present time is, with the single exception of the warrant officers, organized like the Navy; the same commissioned personnel, in numbers, rank, precedence, privilege, pay, and so forth. That parity holds throughout in the two services except that in the Coast Guard there is omitted this one provision whereby warrant officers may become chief warrant officers. I certainly hope the House will wipe out this discrimination and give justice to these men. [Applause.]

Mr. KVALE. Will the gentleman yield?

Mr. WARREN. I yield.

Mr. KVALE. The gentleman has spoken of the service of these men. Will he tell us what that service is, under what weather, and all those things?

Mr. WARREN. The gentleman knows that every single minute of the night our entire coast is patrolled by men making a distance of 2½ to 3 miles, and that it is a hard and terrible life that they lead. They must have served 15 years or more before they can get any warrant. The bill requires that they shall be there at least 6 years before they come into the higher grade.

Mr. CONNERY. Will the gentleman yield?

Mr. WARREN. I yield.

Mr. CONNERY. The sailor, except in time of war, is not in danger. But every time these men go out in a vessel they are in danger of going on the rocks and they risk their lives.

Mr. WARREN. Absolutely.

Mr. BUCHANAN. Mr. Speaker, I yield myself 10 minutes. No man in this House is a better friend of mine nor I of his than the gentleman who has just spoken, the gentleman from North Carolina [Mr. WARREN]. I have no personal or political interest in this bill, but I feel it my duty as Chair-

man of the Committee on Appropriations to present to you the facts, and whatever action you take will be satisfactory to me.

The gentleman from North Carolina just spoke of the hardships encountered by the Coast Guard. Those hardships are encountered by the enlisted men as well as by the warrant officers, and I find no clause in this bill to increase the salaries or to advance the grade of the enlisted men. In fact, they do more dangerous services than the warrant officers. We will pass that.

I say to you the bill ought not to be passed, especially at this time, and I shall tell you the reason why. In the first place it is not necessary, it is not needed, and on that feature of the matter I read to you from a letter from the Secretary of the Treasury:

The provisions of the present law (U.S.C., title 14, sec. 219), which gives to the President of the United States authority to appoint, by and with the advice and consent of the Senate, chief warrant officers of the Coast Guard from the permanent list of warrant officers of the Coast Guard, as the needs of the service may require, are deemed sufficient authority of law for the proper conduct of the Coast Guard in respect to these matters.

In other words, whenever the necessity arises for a chief warrant officer, the President sends the name of the warrant officer to the Senate and advances him to that grade, and he is made a chief warrant officer. The Secretary says that that is all that is needed. They become commissioned officers of the Coast Guard.

Mr. FITZPATRICK. Does the same rule prevail in the Navy?

Mr. BUCHANAN. It does not.

Mr. FITZPATRICK. Does not the gentleman think they deserve the same treatment?

Mr. BUCHANAN. I have not gone into the merits of the provisions in the Navy. I have not gone into the vast number of officers the Navy may need over the Coast Guard; I have not gone into the complication of large vessels as compared to the Coast Guard. Does my friend know that most of the vessels in the Coast Guard are little bits of vessels carrying two or three or four or five men, and a warrant officer is sufficient to direct and control those vessels.

Mr. SUTPHIN. Did I understand the gentleman to say that they would become commissioned officers?

Mr. BUCHANAN. Yes.

Mr. SUTPHIN. Is not the gentleman mistaken there?

Mr. BUCHANAN. I am not.

Mr. SUTPHIN. I think commissioned officers are only those who graduated from the Coast Guard Academy at New London.

Mr. BUCHANAN. Not an officer confirmed by the Senate in the Coast Guard.

Mr. SUTPHIN. This is a warrant officer.

Mr. BUCHANAN. The law provides that they shall become commissioned officers.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. TABER. All these warrant officers are commissioned officers.

Mr. BUCHANAN. All the chief warrant officers; yes.

Mr. GLOVER. Can the gentleman tell us what the additional drain will be upon the Treasury by reason of the passage of this bill?

Mr. BUCHANAN. I can. For this coming year it would be \$55,000 and by 1939 it will be \$85,000. Some claim that it cannot go higher than that. I claim it can. There are 600 warrant officers in the Coast Guard. Eighty-four of them are now chief warrant officers. In 6 years every one of those will be advanced to a chief warrant officer, and the advancement would keep going on, and as each one completed his 6 years of service, finally you would have nearly all chief warrant officers and a very few warrant officers. It reverses the order of service in the Coast Guard or the order of service that should exist in the Navy or the Coast Guard or any military or semimilitary organization. Let me go on with the reading of this letter from the Secretary of the Treasury:

If the proposed bill were enacted into law, 309 present permanent warrant officers who have had 6 years or more service in that grade would be required to be advanced to the grade of chief warrant officer.

Three hundred and nine at one swoop:

With the 84 chief warrant officers already in the service, the total would be 393, a number not needed for the proper conduct of the Coast Guard.

If the bill were enacted into law, within a few years the Coast Guard would have about 572 chief warrant officers, as the warrant officers pass the 6-year service requirement.

With only 84 needed, with an advance in salary of from \$400 to \$600 per warrant officer. On that point let us see how these folks are taken care of under the present law. A warrant officer, not a chief warrant officer, who has served 6 years in the Coast Guard now receives \$2,016 annual salary. In addition to that annual salary, he is allowed \$480 for rent and \$219 for subsistence, making the total of \$2,715 that they now receive. Yet they want you to pass this bill advancing those salaries from \$200 to \$300 to \$600 a year, with the country in the condition that it is, when there are millions who would gladly take \$100 for this service.

Let me develop another fact, and then you can see into this thing properly. They have not looked into it properly. There are 8,800 personnel in the Coast Guard. There are 507 commissioned officers, and there are 600 warrant officers. You have there over 1,100 officers to direct and control the action of only 8,800 men altogether. I say to you and the Secretary of the Treasury says to you that we do not need them, we do not want them. If they did, all they had to do is to request the President to send the names to the Senate. That is all I have to say. I just want to impress this fact upon you: The President and his administration are trying their best to conduct an economical government. How in the world can they conduct an economical government if bills like this come in day after day and compel an increase in the administration's expense of from \$75,000 to \$85,000 a year, and some of them millions?

Mr. CONNERY. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. CONNERY. In the report it says the purpose of the bill—

is to wipe out the last remaining organizational discrimination between the Coast Guard and the Navy. This method affords the only opportunity for enlisted men—the very best, who work up after long and faithful service through all enlisted grades to warrant officers—to reach a commissioned grade, the lowest, ranking with but after ensigns.

Mr. BUCHANAN. Well, it is not the only method, because every recommendation of the President for a warrant officer to be advanced to that of chief warrant officer has to come from the warrant-officer grade. He must recommend a warrant-officer grade. That is the avenue of advancement that the law requires and now is open to these people. When the service needs them, the President recommends a warrant officer for promotion. It is the natural way it should be done; it is the proper way it should be done.

Mr. CONNERY. Will the gentleman yield further?

Mr. BUCHANAN. Certainly.

Mr. CONNERY. If that is the only discrimination, if the organizations are lined up together on an organization standpoint, why should the Navy be preferred against the Coast Guard, who risk their lives day in and day out?

Mr. BUCHANAN. My dear sir, I have not gone into that character of promotion in the Navy Department. No bill has come before my committee for me to go into it, as far as I know; but I do know this: Suppose the Navy ought not to have that promotion; suppose it ought to be repealed in the Navy, then you take that as an example and wrongfully follow that example, and put promotion in the Coast Guard as well as the Navy. Take the Thomas amendment to the independent offices appropriation bill. It interfered with the Board in fixing the wages of certain of our Government activities. It increased a great many thousand men, and now they claim there are many thousand more who that bill did not affect or promote, and they want clarification and additional scope of that bill to increase the



salaries of other employees. We cannot take one bad example and follow it. How do we know but what the Navy is a bad example, or the law that now governs it? Never in my life have I found such a complicated system of compensation as exists in the Army and Navy of the United States. It would take a Philadelphia lawyer a lifetime to understand it. I do not believe the gentleman understands it.

Mr. CONNERY. I will say to my colleague there are many things about the Army and the Navy that I do not understand. I should like to see a lot of things changed. I should like to see them corrected, and I should like to see a decent air force in the United States.

Mr. BUCHANAN. I join with the gentleman.

The SPEAKER. The time of the gentleman from Texas [Mr. BUCHANAN] has expired.

Mr. WARREN. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER of Ohio. Mr. Speaker, notwithstanding the rather extreme statements of the gentleman from Texas [Mr. BUCHANAN], I have not changed my views with regard to this bill. The gentleman speaks in a rather feeling way about the poor enlisted man having no chance for advancement. My dear friend, this would give the enlisted man his only opportunity for advancement. It is from the enlisted men that these warrant officers are taken. This bill proposes to make it possible for a warrant officer to advance to the rank of chief warrant officer as a reward for faithful service, a practice that is absolutely essential to real morale in the service.

Napoleon recognized the value of being able to take a man whom he recognized as a valuable soldier and on the spot, without the necessity of going to headquarters or anything of the kind for ceremony, raised the man to the rank to which he thought he was entitled, and thereby demonstrated to all of those about him how he rewarded men of real merit. Now, that is one of the purposes of this bill. The assurance of advancement is certain to make the men more contented and to cause them to work more enthusiastically. Now, my friends, let us not be misled by inaccurate statements as to the cost of this measure of justice to the Government even if it were willing to disregard the right of these men to fair treatment.

For the first year the total increase to the Treasury will be \$18,000. For the second year it will be \$55,000; for the third year \$67,000; for the fourth year \$81,000; for the fifth year \$83,000, and finally \$84,000 which is the maximum. Now, if there is one branch of the service which appeals to me, not only in a sentimental way, but in a very practical way, it is the Coast Guard. No man who has lived near the sea or the Great Lakes of the country can fail to recognize the great value of the service that the men of the Coast Guard render to the American people. They may not have the glamor of the man with the gilded uniform and a sword at his side but they are real men who risk their lives day after day.

The worse the storm may happen to be the more certain it will be that they must brave its dangers to save human lives and also property. Thousands of lives have been saved by the valorous service of these men who risk their own lives in the darkest night as well as in the daytime in order to protect those in danger. Shall we be so small as to indulge in stereotyped talk about saving money at the expense of justice to the men who constantly risk their lives and endure hardship to protect and save the lives of human beings? Yes, by all means, let us avoid extravagance, but let us not save at the expense of men who sacrifice and risk all in the service of humanity. Let us pass this bill by such an overwhelming vote as will show that the American people appreciate the high order of service rendered by the brave men of the Coast Guard, whose service is always constructive, never destructive.

Mr. WARREN. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Speaker, the estimate of the cost of this bill by the Chairman of the Committee on Appropriations was too generous. The Appropriations Committee is

not apt to be generous; but we know its chairman has been in his estimated cost of the warrant officers provided by this bill. We know it cannot cost more than \$190 per man per year. The officers of the Coast Guard point out that there will always be a certain amount of attrition through death and resignation. The estimates of the chairman apparently are based on the idea that members of the Coast Guard seldom die and never resign; but there is an attrition in that service as there is in the other services. I do not, however, wish to lay great stress on the money involved. At best and at worst it is too small to have any effect on this bill. This bill is an act of simple justice; and I take it that the United States Treasury is not in such a dangerous state that we must be unjust to a very deserving lot of men.

It has been pointed out that had these same men enlisted in the Navy they would have had the opportunities given them in this bill. The Coast Guard performs every type of duty that the Navy performs; the Coast Guard has the same classes of men the Navy has; and every class in the Coast Guard receives the same treatment as corresponding classes in the Navy except these warrant officers.

The dangerous nature of the service these men are constantly performing has been pointed out. The only difference between the Navy and the Coast Guard is that the Navy does have periods of peace, but the Coast Guard has nothing but war—war against the elements under the most dangerous circumstances. In time of actual war, as was shown in the last one, the Coast Guard officers are drafted into the Navy and become the most competent of pilots because they know the coast as no other men do.

Every day, somewhere on this coast, men in the Coast Guard are endangering their lives in saving the life and property of others. The same service rendered on the field of battle would entitle them to the Distinguished Service Medal or any other reward given to fighting men.

The men of the Coast Guard risk their lives but are seldom mentioned in the newspapers. If they die it creates no excitement; if they win they get but little praise.

Not to pass this bill would be an unjust act against the most deserving arm of the sea service combining the Navy and the Coast Guard. There is no reason under heaven why we should discriminate between the men in the two services. The men in the Coast Guard perform the harder and more dangerous work. It is but simple justice to pass this bill.

[Here the gavel fell.]

Mr. BUCHANAN. Mr. Speaker, I yield to my colleague the gentleman from New York [Mr. TABER] the remainder of my time.

Mr. TABER. Mr. Speaker, I am taking my position not because of any personal interest in this legislation but because I believe it my duty as a Member of the House to try and keep down governmental expenses.

I wish to tell you a little bit about these warrant officers, what they receive, and what chief warrant officers receive. The enlisted men of the Coast Guard can be promoted to the grade of warrant officers provided they pass certain tests and examinations. They are given an opportunity to do this. The initial pay of a warrant officer is a salary of \$1,836 a year, a rent allowance of \$480 annually, and an annual subsistence allowance of \$217, making a total of approximately \$2,500 a year. When he has served 6 years he is entitled to a promotion of \$200 a year approximately. After serving an additional 6 years he is entitled to another promotion of \$200.

This bill would jump him up after 6 years' service to \$3,100.

The Treasury Department tells us that in a few years we would have 572 warrant officers, a number which they say in their letter they do not need. This is practically 600 chief warrant officers. In the entire naval service, with an enlisted personnel of 81,000, there are but 1,400 warrant officers. The enlisted personnel of the Coast Guard is but 8,700.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BUCHANAN. This bill will jump 309 up immediately and others as they serve 6 years without any examination, without any test to determine their qualifications to occupy the higher commanding position in the service, will it not?

Mr. TABER. It will.

Mr. WARREN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. WARREN. I wonder if the gentleman has read the hearings on this measure before the Committee on Interstate and Foreign Commerce?

Mr. TABER. No; I have not read those hearings, but I know something about the matter.

Mr. WARREN. I did not think the gentleman had read the hearings, by his statement.

Mr. TABER. After 10 years' experience on the Naval Appropriations Subcommittee I know something about the Navy and something about this situation.

Mr. WARREN. I know the gentleman wants to be fair to the House.

Mr. TABER. I should like to have the gentleman point out one single mistake I have made in my statement.

Mr. WARREN. The gentleman does not mean to let the House infer that there would be an increase in the total personnel of warrant officers, does he?

Mr. TABER. I know that the Treasury Department has told us that there would be in a very few years 572 chief warrant officers. Maybe they do not know their business. Maybe they do not know what they are talking about, but there is nothing anywhere in the committee's report or anywhere else to dispute that.

Mr. WARREN. I dispute it, because the hearings dispute the gentleman's statement.

Mr. TABER. The gentleman should call attention to it in the time he has remaining.

It seems to me it is ridiculous for us to go ahead and increase our Budget expenses by a lot of money in the way of an increase in wages. We should not do that.

Let us look at the picture a little bit closer. Of course, it is nice to help these Coast Guard men, but what is the situation? They have smaller boats, and they require less highly trained men than in the case of the men on the great big battleships who have the responsibility of the mechanical devices on the big ships, such as the turrets, the big guns and the tremendous engines. The boats the Coast Guard have charge of are smaller and do not require the same sort of work or the same sort of responsibility. You know and I know that the man who takes care of the job on one of these big boats should receive more money.

Under this bill the peak salary that a man may get is \$5,000. I do not think that we ought to get into this sort of situation. We have already in the provisions that we have made for the benefit of these Coast Guard officers and warrant officers and the promotion that is given them and the pay provided as much as the Government could afford to provide at this time, and I do not think we should go any further, in justice to the Government and in justice to the responsibilities we owe to our citizens back home. I think we ought to show in the Congress here at least once an ability to put on the brakes and stop.

Mr. SUTPHIN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from New Jersey.

Mr. SUTPHIN. Does the gentleman think it requires more skill to serve on a battleship than it does to launch one of these surfboats in a storm along the coast?

Mr. TABER. I think it is an entirely different proposition. The technical training, ability, and responsibility is not at all comparable.

Mr. SUTPHIN. But the Coast Guard work is much more hazardous.

Mr. TABER. I think we have already provided a fair and adequate pay for our Coast Guard men, and I think we ought to stick to our present schedule. We have done very well by them. If we had not, we would be in a different situation and one from which we might expect some criticism. We have permitted the Coast Guard men to run up as high as \$3,100. We have done pretty well by them, and I

do not think that we should at this time go further, especially when it means, perhaps, \$55,000 in another year and \$84,000 in a few more years. I think the House should vote this proposition down and save money for the country. [Applause.]

[Here the gavel fell.]

Mr. WARREN. Mr. Speaker, I yield the remainder of my time, 8 minutes, to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, I wondered, when I listened to the gentleman from New York with his intimate knowledge of conditions in the Navy, why he had not introduced a bill to provide for a reduction of the warrant officers in the Navy or to change the provisions of the law in order that the parity that should obtain between these two services should be established. He speaks the language of the Navy, but not the language of the Coast Guard.

May I answer certain points that have been made? First, I agree with some of the gentlemen who have spoken and who have said that this is not and should not be a matter of dollars and cents. However, even the letter of the distinguished Secretary of the Treasury contains mistakes, and I am not surprised that, following the letter of the Secretary of the Treasury, the gentleman from New York should have fallen into the same error. In the letter, which is filed in the report, there is a statement:

If the proposed bill were enacted into law, 309 present permanent warrant officers who have had 6 years or more service in that grade would be required to be advanced to the grade of chief warrant officer.

The testimony as it was presented before the committee showed what? Not 309, but 291; and Commander Chalker says that during 1934 there would be 291; in 1935 there would be 3; in 1936, 124; in 1937, 36; and in 1938 and 1939, 0. The letter of the Secretary of the Treasury comments upon the fact that within a few years the Coast Guard would have about 572 chief warrant officers, as the warrant officers complete the 6 years of service, and the gentleman from New York has emphasized that fact in his address.

Let us glance at the evidence as it was presented to the committee—and I am quoting from the testimony of Capt. Philip Lauriat, of the Coast Guard:

Mr. MERRITT. What I was trying to clear up in my mind, Captain, was simply this, what I suggested to the general, that we wanted to guard against the suggestion here, at least, that this bill will produce an undue proportion of warrant officers and chief warrant officers to the number in the service.

Captain LAURIAT. The number will be the same. It will only mean that a warrant officer, at the end of 6 years' service, can be promoted to chief warrant officer. The total number of warrant officers and chief warrant officers would be the same as the number of warrant officers without this.

Mr. MERRITT. It would not change that number?

Captain LAURIAT. No, sir.

Mr. MERRITT. What I mean is that you would not put somebody else in the place of the man who was promoted?

Captain LAURIAT. No, sir.

Mr. MERRITT. That is what I wanted to find out about.

Mr. REECE. There are now, of course, a certain number of warrant officers and chief warrant officers in the Coast Guard?

Captain LAURIAT. Yes, sir.

Mr. REECE. It is assumed that this number is considered essential to efficient administration of the Coast Guard?

Captain LAURIAT. Yes, sir.

Mr. REECE. If this bill should be enacted, its chief object would be to give increased recognition for long and faithful service to those warrant officers, without increasing the number, the total number, of warrant officers and chief warrant officers?

Captain LAURIAT. Exactly.

Mr. REECE. And chief warrant officers?

Captain LAURIAT. Exactly.

The evidence itself absolutely demonstrates beyond any question and beyond any peradventure of a doubt that this does not provide the increase stated by the gentleman from New York and by the Secretary of the Treasury. I do not blame the Secretary of the Treasury. It just happens that he has probably not gone into the question as fully as the committee.

Mr. McFARLANE. Will the gentleman yield for a question?

Mr. BLAND. I do not know whether I have much time remaining, but I yield for a question.



Mr. McFARLANE. I should like to know the difference involved in this promotion in the matter of pay.

Mr. BLAND. The evidence is \$190 per man as the total amount per man involved. I cannot tell the gentleman the details with respect to longevity.

Mr. McFARLANE. How much do they receive per month in the different grades?

Mr. BLAND. I have not that information.

This House wants to do justice far and above any question of dollars and cents that may be involved. Here are men who are rendering a service in their capacity which is just as great as the service rendered by the Navy or the Army. These warrant officers may not be upon a big battleship, but the warrant officer of the Coast Guard serves on the small surfboat that is going out in the storm. This officer is facing the wind and never has an opportunity to yield to overwhelming odds, as in the case of the Army or the Navy. He is the man who has to fight and keep on fighting to the death in order to win the battle in which he is engaged—the salvation of those he goes out to save.

Study the record of the Coast Guard. Study their service. See them fighting, as the gentleman from North Carolina has said, in the lone hours of the night along the lonely beach. When you are out upon the water you feel an element of salvation and of safety, because you know that wherever you go the eyes of the Coast Guard are upon you, and that these men are there ready to launch the surfboats and go to your rescue regardless of what the opposition may be, and regardless of the disaster. Theirs to face the death, theirs always to be prepared, theirs to fight and theirs to fight not alone for the saving of property, but for more than that, for the saving of human lives. [Applause.]

[Here the gavel fell.]

The SPEAKER. The question is on the motion of the gentleman from North Carolina to suspend the rules and pass the bill.

The question was taken; and the Speaker announced that in the opinion of the Chair two thirds had voted in the affirmative.

Mr. BUCHANAN. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and the Speaker announced that 79, not voting 151, as follows:

[Roll No. 139]

YEAS—200

|                  |                 |                 |                 |
|------------------|-----------------|-----------------|-----------------|
| Abernethy        | Deen            | James           | Martin, Mass.   |
| Adair            | DeRouen         | Johnson, W. Va. | Martin, Oreg.   |
| Adams            | Dickinson       | Jones           | May             |
| Auf der Heide    | Dickstein       | Kahn            | Merritt         |
| Bailey           | Dirksen         | Kee             | Monaghan, Mont. |
| Bakewell         | Dockweiler      | Keller          | Montague        |
| Bankhead         | Dondero         | Kelly, Pa.      | Montet          |
| Beiter           | Drewry          | Kenney          | Moran           |
| Biermann         | Duffey          | Kleberg         | Mott            |
| Blanchard        | Dunn            | Kniffin         | O'Connell       |
| Bland            | Ellzey, Miss.   | Knutson         | O'Connor        |
| Bloom            | Englebright     | Kopplemann      | Oliver, Ala.    |
| Bolleau          | Evans           | Kvale           | Owen            |
| Brown, Ga.       | Fernandez       | Lambertson      | Palmisano       |
| Buck             | Fish            | Lambeth         | Parker          |
| Burch            | Fitzpatrick     | Lanham          | Parks           |
| Burnham          | Foss            | Lanzetta        | Peatman         |
| Caldwell         | Frey            | Lea, Calif.     | Peavey          |
| Carmichael       | Gasque          | Lee, Mo.        | Perkins         |
| Carpenter, Nebr. | Gavagan         | Lehr            | Peterson        |
| Carter, Calif.   | Gillespie       | Lesinski        | Pettengill      |
| Carter, Wyo.     | Goldsbrough     | Lewis, Colo.    | Peyser          |
| Castellow        | Goodwin         | Lloyd           | Pierce          |
| Chavez           | Green           | Lozier          | Polk            |
| Claborne         | Greenway        | Luce            | Powers          |
| Clark, N.C.      | Gregory         | McClintic       | Prall           |
| Cochran, Mo.     | Hancock, N.Y.   | McCormack       | Ramsay          |
| Colden           | Hancock, N.C.   | McDuffie        | Ramspeck        |
| Cole             | Healey          | McFarlane       | Rayburn         |
| Collins, Calif.  | Higgins         | McGrath         | Reed, N.Y.      |
| Colmer           | Hildebrandt     | McKeown         | Reilly          |
| Condon           | Hill, Ala.      | McLeod          | Richards        |
| Conner           | Hill, Samuel B. | McMillan        | Richardson      |
| Cooper, Ohio     | Holdale         | McReynolds      | Robertson       |
| Cox              | Hollister       | Maloney, Conn.  | Romjue          |
| Crosser, Ohio    | Holmes          | Maloney, La.    | Rudd            |
| Crowther         | Howard          | Mansfield       | Sadowski        |
| Cullen           | Hughes          | Mapes           | Sanders         |
| Darden           | Imhoff          | Martin, Colo.   | Sandlin         |

|               |                |              |           |
|---------------|----------------|--------------|-----------|
| Sears         | Studley        | Vinson, Ky.  | Willcox   |
| Seger         | Sutphin        | Wallgren     | Willford  |
| Shannon       | Taylor, S.C.   | Warren       | Willson   |
| Sinclair      | Thomas         | Wearin       | Wolcott   |
| Slovich       | Thomason       | Weideman     | Wolfenden |
| Smith, Va.    | Thompson, Tex. | Welch        | Wolverton |
| Smith, W. Va. | Truax          | Werner       | Wood, Ga. |
| Spence        | Umstead        | West, Ohio   | Wood, Mo. |
| Steagall      | Underwood      | West, Tex.   | Woodruff  |
| Strong, Tex.  | Utterback      | White        | Young     |
| Stubbs        | Vinson, Ga.    | Wigglesworth | Zioncheck |

NAYS—79

|                  |               |                |                |
|------------------|---------------|----------------|----------------|
| Arens            | Dies          | Huddleston     | Rankin         |
| Arnold           | Disney        | Jacobsen       | Rich           |
| Blanton          | Dobbins       | Jenkins, Ohio  | Robinson       |
| Brown, Ky.       | Doughton      | Johnson, Minn. | Ruffin         |
| Browning         | Dowell        | Johnson, Okla. | Sabath         |
| Buchanan         | Edmiston      | Johnson, Tex.  | Secrest        |
| Burke, Nebr.     | Eicher        | Kelly, Ill.    | Shallenberger  |
| Byrns            | Eltse, Calif. | Kinzer         | Summers, Tex.  |
| Cady             | Farley        | Kloeb          | Taber          |
| Cannon, Mo.      | Fletcher      | Kocialkowski   | Tarver         |
| Carden, Ky.      | Focht         | Kurtz          | Taylor, Colo.  |
| Carpenter, Kans. | Gilchrist     | McCarthy       | Terrell, Tex.  |
| Cartwright       | Glover        | McGugin        | Terry, Ark.    |
| Chase            | Goss          | Marshall       | Thom           |
| Christianson     | Haines        | Meeks          | Thompson, Ill. |
| Cochran, Pa.     | Harlan        | Millard        | Turner         |
| Collins, Miss.   | Hastings      | Mitchell       | Whittington    |
| Cooper, Tenn.    | Henney        | Morehead       | Williams       |
| Cravens          | Hess          | Murdoch        | Woodrum        |
| Cross, Tex.      | Hope          | Parsons        |                |

NOT VOTING—151

|               |              |                |               |
|---------------|--------------|----------------|---------------|
| Allen         | Crosby       | Guyer          | Ransley       |
| Allgood       | Crowe        | Hamilton       | Reece         |
| Andrew, Mass. | Crump        | Hart           | Reid, Ill.    |
| Andrews, N.Y. | Culkin       | Harter         | Rogers, Mass. |
| Ayers, Mont.  | Cummings     | Hartley        | Rogers, N.H.  |
| Ayres, Kans.  | Darrow       | Hill, Knute    | Rogers, Okla. |
| Bacharach     | Dear         | Hoepfel        | Schaefer      |
| Bacon         | Delaney      | Jeffers        | Schuetz       |
| Beam          | De Priest    | Jenckes, Ind.  | Schulte       |
| Beck          | Dingell      | Kennedy, Md.   | Scrugham      |
| Beedy         | Ditter       | Kennedy, N.Y.  | Shoemaker     |
| Berlin        | Douglass     | Kerr           | Simpson       |
| Black         | Doutrich     | Kramer         | Sisson        |
| Boehne        | Doxey        | Lamneck        | Smith, Wash.  |
| Boland        | Driver       | Larrabee       | Snell         |
| Boiton        | Duncan, Mo.  | Lehlbach       | Snyder        |
| Boylan        | Durgan, Ind. | Lemke          | Somers, N.Y.  |
| Brennan       | Eagle        | Lewis, Md.     | Stalker       |
| Britten       | Eaton        | Lindsay        | Stokes        |
| Brooks        | Edmonds      | Ludlow         | Strong, Pa.   |
| Brown, Mich.  | Ellenbogen   | Lundeen        | Sullivan      |
| Brumm         | Faddis       | McFadden       | Swank         |
| Brunner       | Flesinger    | McLean         | Sweeney       |
| Buckbee       | Fitzgibbons  | McSwain        | Swick         |
| Bulwinkle     | Flannagan    | Marland        | Taylor, Tenn. |
| Burke, Calif. | Ford         | Mead           | Thurston      |
| Busby         | Foulkes      | Miller         | Tinkham       |
| Cannon, Wis.  | Frear        | Milligan       | Tobey         |
| Carley, N.Y.  | Fuller       | Moynihan, Ill. | Traeger       |
| Cary          | Fulmer       | Muldowney      | Treadway      |
| Cavicchia     | Gambrell     | Musselwhite    | Turpin        |
| Celler        | Gifford      | Nesbit         | Wadsworth     |
| Chapman       | Gillette     | Norton         | Waldron       |
| Church        | Granfield    | O'Brien        | Walter        |
| Clarke, N.Y.  | Gray         | O'Malley       | Weaver        |
| Coffin        | Greenwood    | Oliver, N.Y.   | Whitley       |
| Connolly      | Griffin      | Plumley        | Withrow       |
| Corning       | Griswold     | Randolph       |               |

So (two thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

The following pairs were announced:

On the vote:

Mr. Andrew of Massachusetts and Mr. Gifford (for) with Mr. Ditter (against).

Mrs. Rogers of Massachusetts and Mr. Buckbee (for) with Mr. Doutrich (against).

Mr. Cavicchia and Mr. Granfield (for) with Mr. Brumm (against).  
Mr. Bacharach and Mr. Lindsay (for) with Mr. Muldowney (against).  
Mr. Beedy and Mr. Corning (for) with Mr. Strong of Pennsylvania (against).

Mr. Sullivan and Mr. Delaney (for) with Mr. Turpin (against).

Until further notice:

Mr. Boylan with Mr. Darrow.  
Mr. Ayres of Kansas with Mr. Plumley.  
Mr. Griffin with Mr. Snell.  
Mr. Swank with Mr. Eaton.  
Mr. Kennedy of New York with Mr. Beck.  
Mr. Larrabee with Mr. Edmunds.  
Mr. McSwain with Mr. Allen.  
Mr. Mead with Mr. Simpson.  
Mr. Beam with Mr. McLean.  
Mr. Allgood with Mr. Swick.  
Mr. Lewis of Maryland with Mr. Moynihan of Illinois.  
Mr. Brennan with Mr. Reece.  
Mr. Schuetz with Mr. Guyer.  
Mr. Douglass with Mr. Ransley.  
Mr. Lamneck with Mr. Whitley.

Mr. Rogers of New Hampshire with Mr. Connolly.  
 Mr. Boehne with Mr. Frear.  
 Mr. Doxey with Mr. Lehlbach.  
 Mr. Brunner with Mr. Bacon.  
 Mr. Black with Mrs. Clarke of New York.  
 Mr. Bulwinkle with Mr. Britten.  
 Mr. Griswold with Mr. Culkin.  
 Mr. Fuller with Mr. Hartley.  
 Mr. Sisson with Mr. Lemke.  
 Mr. Crowe with Mr. Thurston.  
 Mr. Greenwood with Mr. McFadden.  
 Mr. Flannagan with Mr. Wadsworth.  
 Mr. Busby with Mr. Tobey.  
 Mr. Fiesinger with Mr. Reid of Illinois.  
 Mr. Gambrill with Mr. Treadway.  
 Mr. Driver with Mr. Withrow.  
 Mr. Ludlow with Mr. Taylor of Tennessee.  
 Mr. Shoemaker with Mr. De Priest.  
 Mr. Chapman with Mr. Waldron.  
 Mr. Somers of New York with Mr. Stokes.  
 Mr. Fulmer with Mr. Tinkham.  
 Mr. Milligan with Mr. Staker.  
 Mr. O'Brien with Mr. Lundeen.  
 Mr. Musselwhite with Mr. Marland.  
 Mr. Oliver of New York with Mr. Fitzgibbons.  
 Mr. Weaver with Mr. Dingell.  
 Mr. Smith of Washington with Mr. Brown of Michigan.  
 Mr. Ayers of Montana with Mr. Schaefer.  
 Mr. Kerr with Mr. Schulte.  
 Mr. Sweeney with Mr. Walter.  
 Mrs. Norton with Mr. Miller.  
 Mr. Kennedy of Maryland with Mr. Duncan of Missouri.  
 Mr. Ellenbogen with Mr. Cannon of Wisconsin.  
 Mr. Cummings with Mr. Durgan of Indiana.  
 Mr. Scrugham with Mr. O'Malley.  
 Mr. Eagle with Mr. Faddis.  
 Mr. Gillette with Mr. Ford.  
 Mr. Gray with Mr. Cary.  
 Mr. Hart with Mr. Hamilton.  
 Mr. Celler with Mr. Burke of California.  
 Mr. Harter with Mr. Crosby.  
 Mr. Knute Hill with Mrs. Jenckes of Indiana.  
 Mr. Carley of New York with Mr. Coffin.  
 Mr. Randolph with Mr. Jeffers.  
 Mr. Crump with Mr. Church.  
 Mr. Snyder with Mr. Nesbit.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MARTIN of Massachusetts. Mr. Speaker, do I understand that the bills for suspension are now to be called, and if anyone objects the bills automatically are removed from consideration?

The SPEAKER. The gentleman is correct.

#### DISTRICT JUDGE FOR MASSACHUSETTS

Mr. HEALEY. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H.R. 6550) to remove the limitation on the filling of the vacancy in the office of United States district judge for the district of Massachusetts.

The SPEAKER. Is there objection?

Mr. YOUNG. I object.

Mr. McCORMACK. Let me say to the gentleman that this is not making a new judgeship, but there is to be a judge appointed where a judge has died, and when his term expires the judgeship is eliminated. So that the bill as it will be reported and acted upon will simply provide for an additional judge in lieu of the one already existing and when he dies the office goes out with him. I hope my friend will not object.

Mr. YOUNG. I withdraw the objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the President is authorized, by and with the advice and consent of the Senate, to appoint a district judge to fill the vacancy in the district of Massachusetts occasioned by the death of Hon. James A. Lowell. Vacancies occurring at any time in the office of district judge for the district of Massachusetts are authorized to be filled.

With the following committee amendment:

Page 1, line 6, after the period, strike out the remaining language of the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PROMOTION AND DISCHARGE OF COMMISSIONED OFFICERS, MARINE CORPS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the bill (H.R. 6803) to regulate the distribution, promotion, retirement, and discharge of commissioned

officers of the Marine Corps, and for other purposes, be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### PROMOTION BY SELECTION IN LINE OF THE NAVY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the bill (H.R. 9063) to provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize the appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy, and for other purposes, be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### GOLD MEDAL TO GEORGE M. COHAN

Mr. KELLER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H.R. 7290) authorizing the President to present a gold medal to George M. Cohan.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I object.

Mr. CONNERY. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. TABER. Yes.

Mr. CONNERY. All this bill does is to authorize the President to give a medal to George M. Cohan for writing the song *Over There*, which did so much in the war.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I object.

#### GENERAL LA FAYETTE MEMORIAL DAY

Mr. CONDON. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 317, requesting the President of the United States of America to proclaim May 20, 1934, General La Fayette Memorial Day, for the observance and commemoration of the one hundredth anniversary of the death of General La Fayette.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved, etc.,* That the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on May 20, 1934, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General La Fayette.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### GENERAL PULASKI MEMORIAL DAY

Mr. PETTENGILL. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 36, authorizing the President of the United States of America to proclaim October 11, 1934, General Pulaski Memorial Day.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

#### Senate Joint Resolution 36

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of West Virginia, New Jersey, Massachusetts, Kentucky, Illinois, Michigan, Tennessee, Indiana, Wisconsin, New York, Nebraska, Texas, Minnesota, Delaware, Maryland, Arkansas, New Hampshire, Pennsylvania, Missouri, Ohio, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, and October 11, 1931, to be General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War: Therefore, be it

*Resolved, etc.,* That the President of the United States is authorized to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental



buildings on October 11, 1934, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies of the death of Gen. Casimir Pulaski.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

Mr. PETTENGILL. Mr. Speaker, at the request of a number of gentlemen who desire to extend their remarks in the RECORD on this resolution I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on Senate Joint Resolution 36.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I desire to express my support of the resolution now before us, to authorize the President of the United States to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on October 11 next, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies commemorating the death of Gen. Casimir Pulaski, a Polish patriot who fought and died in the cause of American independence.

It is gratifying to realize that with each succeeding observance of October 11, as General Pulaski's Memorial Day, to commemorate the death of Brig. Gen. Casimir Pulaski, there is an increasing appreciation of the worth-while service performed by this brave and courageous soldier for liberty and freedom.

During the last few years much has been accomplished by the George Washington Bicentennial Commission to create an increased interest in the activities and services of our Revolutionary leaders. In this connection it is appropriate that due recognition should be given to those of foreign birth who assisted so materially in winning our independence.

Among such was Count Casimir Pulaski, born in Podolia, Poland, on March 4, 1748, who became interested in the American struggle for independence and joined the forces of General Washington in March 1777, subsequently receiving from the Congress a commission as brigadier general.

Pulaski had been interested in military affairs before he reached his majority and served in the guard of Duke Charles of Courland before he reached the age of 20. In 1768 he joined his father, Joseph Pulaski, in Poland as one of the eight original associates of the Confederation of Bar. He and his father pledged their time and fortunes and lives to the accomplishing of the redemption of Poland. He carried on a partisan warfare after his father's death and in 1769 raised a revolt in Lithuania. He finally forced the Russians to withdraw from the fortified monastery of Czestochowa and took an active part in forcing them across the Vistula.

Subsequent unfortunate events caused Pulaski to leave his native land. He went to Turkey; but when the Sultan refused to aid him, he removed to Paris in 1775. It was in the French capital that he made the acquaintance of Benjamin Franklin. After his talks with Franklin he became interested in the American independence and came to this country in March 1777. He immediately joined General Washington's staff in Philadelphia. In the Battle of Brandywine, in company with Greene, Wayne, Sullivan, and La Fayette, he struck his first blow in behalf of the American cause. His great service in this engagement was to defeat the attempt of the enemy to cut off the line of retreat. He executed his task so successfully and promptly that, upon the recommendation of Washington, he was commissioned as brigadier general by Congress and assigned to command the cavalry. General Washington, in his letter to Congress recommending Pulaski for this place, said:

This gentleman has been, like us, engaged in defending the liberty and independence of his country and has sacrificed his fortune to his zeal for these objects. He derives from hence a title to our respect that ought to operate in his favor as far as the good of the service will permit.

Pulaski later saved the Army from a surprise at Warren Tavern, near Philadelphia, and took part in the Battle of

Germantown. In the winter of 1777-78 he participated in the operations of Gen. Anthony Wayne and helped defeat a division of British troops in Haddonfield, N.J., and participated in an engagement with the enemy at a spot in the city of Camden, N.J., located today in the vicinity of Haddon Avenue and Federal Street. Subsequently he was assigned to special duty at Valley Forge.

Congress, upon General Pulaski's suggestion and upon the recommendation of General Washington, authorized the formation of a corps of lancers and light infantry to be commanded by Pulaski. This corps, which was recruited mostly in Baltimore, later became famous under the name of Pulaski's Legion.

When he was stationed at Minisink, N.J., during the following winter, under a petty command which he did not like, he expressed himself as wishing to return to Europe, but Washington persuaded him to remain. On May 8, 1779, he entered Charleston, S.C., and 3 days later, May 11, the city was invested by 900 British troops from General Provost's Army. Pulaski's assault was unsuccessful, but he held the city until the arrival of reinforcements on May 13.

In the siege of Savannah, which resulted in his death, he rendered distinguished service. In the assault of October 8 he commanded the entire cavalry, both French and American. During the battle he received a wound in his right thigh which proved fatal. He was taken from the battlefield after the conflict to the brig *Wasp* for transfer to Charleston. Winds delayed the ship for several days, and Pulaski died on October 11, 1779, as the ship was leaving the river. He was buried at sea, but funeral services were held afterwards in the city of Charleston.

Brigadier Casimir Pulaski contributed substantially to the winning of our independence and gave his life for the cause. His services have been appropriately commemorated by Congress in the form of an equestrian statue, which stands between Thirteenth and Fourteenth Streets on historic Pennsylvania Avenue in the city of Washington, D.C.

In conclusion, permit me to express the hope that this resolution, the purpose of which is to fittingly commemorate the valuable services of General Pulaski, shall receive the approval of this House and thereby express upon the part of the people of our Nation continued appreciation of his brave and heroic service.

Mr. SMITH of Washington. Mr. Speaker, I voted in favor of Senate Joint Resolution 36 because I know that the Polish citizens of my district will be very happy to join with all our citizens in observing General Pulaski Memorial Day. I desire to say further that one of the most patriotic and progressive organizations in this country is the National Grange, which is wholeheartedly supporting President Roosevelt and his constructive efforts to benefit agriculture.

The membership of this great organization realizes that after the 12 years during which the plight of the farmer has constantly become worse, the recent conditions cannot be remedied immediately but require the lapse of a reasonable length of time to overcome. However, the Grangers everywhere appreciate the fact that the rehabilitation of agriculture is being accelerated by the increased purchasing power of the urban population resulting from the employment being provided in the cities and towns by the Federal reemployment projects, in addition to the direct benefits accruing from the numerous measures being taken by the Federal Government which are designed to aid the farmers.

The full effect of this entire program is being felt throughout the Nation, and the farmers of America will soon be in a happier and more prosperous condition than they have been for many years. With the advent of a complete recovery in business, agriculture will be certain to share in the general improvement in the conditions of all the people, which conditions occurred during the former administrations of the National Government and are being remedied by President Roosevelt and the Members of this Congress as rapidly as is humanly possible.

The National Grange held its sixty-seventh annual convention at Boise, Idaho, and the keynote address was de-



livered by National Master Louis J. Taber. I will quote one excerpt from this address:

President Roosevelt, his Secretary of Agriculture, and Adjustment Administrator all have shown unusual interest in and knowledge of our general farm problems. \* \* \* Thirteen years of continued depression and a clear realization of what has occurred in America and the world compels the development of a long-time program for agriculture that will enable us to achieve a planned life more tolerable than the haphazard existence behind us.

Mr. PETTENGILL. Mr. Speaker, under leave to extend my remarks I wish to express to Speaker RAINES the appreciation of the Polish-Americans of the Nation for recognizing me on suspension day last Monday to move the immediate consideration of the Senate joint resolution requesting the President of the United States to proclaim October 11 next as a day of celebration and remembrance of the life and services of General Pulaski. I am glad to say it passed the House without a dissenting vote.

In the previous Congress Speaker Garner honored my congressional district, which has one of the largest Polish-American constituencies in the Nation, by recognizing me to move a similar resolution.

I am particularly happy to have had this recognition at this time on account of the visit this week to my home city of South Bend, Ind., of the son of the President of the Republic of Poland, whose coming was the occasion of a notable welcome participated in by many Polish-Americans who have achieved distinction both in public and private life, as well as by many other of our citizens.

Two years ago—the year of the Washington Bicentennial—I was invited by my Polish-American friends to speak on October 11 of that year both at Chicago and over the radio at South Bend.

As a number of my friends have expressed the desire that my address on that occasion be preserved, I include it herewith. It is as follows:

#### WASHINGTON AND PULASKI

Ladies and gentlemen: When men pause to render tribute to a great man, long since dead, they know that they cannot add to his happiness, nor make more calm the quiet of his grave. They do it, not to add glory to the dead but to glorify themselves. The tribute they pay to him they pay, in reality, to the greatness hidden within their own breasts, to the better selves they wish to be. It is a saying of the Arabs that a "fig tree, looking upon a fig tree, becomes fruitful." When we light a candle at a great man's shrine, we do so because we hope its rays will light our own faces and illuminate our souls. This is the secret of all ceremonies such as this, of all hero worship. It is not so much the respect of a child for its father as it is the aspiration of the child to become the man his father was.

"A prince once gazed on a warrior dead;  
'Taller he seems in death', he said."

It was noted of a great man by some friend, "Whenever I talk with him, I leave his presence feeling 2 inches taller than before." Our Nation's story opens at a time "when men grew tall." And as we turn back to talk with them for a little while, we face the future feeling that we have somehow borrowed of their greatness and grown in stature.

One hundred and fifty-three years ago were desperate days. It was not then known whether this Nation would survive the travail of its birth. Whether the Declaration of Independence would become an immortal state paper or the document of a defeated destiny then hung in the balance. All that this Nation has since become was then at the hazard of war. Those were "times that tried men's souls." But there were men in those times—as, thank God, there are today—who had souls that would stand trial, that would ring true and clear on the red anvil of blood and war.

One of these was Casimir Pulaski. Another was George Washington. We celebrate this year the two hundredth anniversary of the birth of Washington, and we celebrate this week the one hundred and fifty-third anniversary of the death of Pulaski. These names, linked in life, will march together the long road of immortality. Born on different continents, of different blood, they were both Americans. Tonight all Americans, of whatever national origin, join in their honor. They will remember with pride our first captain of Cavalry, as they remember with love his great Commander in Chief. Washington faced every danger but lived to become our first President. Pulaski faced every danger but died in action. One was laid to rest in his native mother earth; the body of the other was deposited in a watery grave far from his native land. But the souls of both are enshrined in our Valhalla.

It is peculiarly fitting that the pressing emergencies of the present day have not crowded out an observance of both these men. Indeed, we need them now more than in prosperous years.

Poland recognizes Washington and America honors Pulaski. In fact, it is worthy of record that Poland is the only country in the world that paid tribute to Washington this year by issuing a postage stamp with a likeness of our great leader. That courtesy is now reciprocated by the proclamation of the President, issued in pursuance of a resolution of Congress, setting aside this day in honor of him who died from battle wounds in defense of our flag at the siege of Savannah 153 years ago.

Born in Poland, Pulaski claimed a wider fatherland. It was wherever liberty might be won. This sentiment is beautifully expressed by an American poet, James Russell Lowell, in his poem:

#### "THE FATHERLAND"

"Where is the true man's fatherland?  
Is it where he by chance is born?  
Doth not the yearning spirit scorn  
In such scant borders to be spanned?  
Ah, yes! his fatherland must be  
As the blue heaven wide and free!  
"Where'er a single slave doth pine,  
Where'er one man may help another—  
Thank God for such a birthright, brother—  
That spot of earth is thine and mine!  
There is the true man's birthplace grand,  
His is a world-wide fatherland!"

Such a spirit was Pulaski's. And it is an interesting and lovable incident of history that in Poland's later struggles for liberty, a number of Washington's officers, who had served with Pulaski on American soil, went overseas to fight for Poland. I do not know of anything that could better illustrate the remarkable impression that Pulaski made on his contemporaries than this. One of these men, Capt. Abner Crump, of Virginia, stated that he was eager to repay a small part of what our new Nation owed to Polish assistance in that dark hour. So he and others went abroad and joined that other great figure, Kosciuszko, in the Polish-Russian War of 1792. One of these men spent 9 months in a Russian prison. It took a great soul to awaken in other men such an exchange of sacrifice as this. If Pulaski had lived, and if these men had returned with him as brothers in arms to fight for his beloved Poland, it would have been indeed noteworthy. But that they went overseas, after Pulaski's death, purely on account of their love for a man then in his grave, is perhaps the most remarkable tribute ever paid to him, one that surpasses the power of eloquence or the lasting endurance of bronze.

At an early age the spirit of Count Pulaski was stirred by the wrongs committed against his native land. In 1769 he joined his father, Joseph Pulaski, in which was termed the "Confederation of Bar." This confederation was an organization of Polish noblemen gathered at the village of Bar, in Podolia, each of whom pledged his time, his fortune, and his life to the redemption of Poland. Casimir Pulaski and his brother, Francis, became the active leaders in the movement. The older leaders were soon dispersed. Some had gone abroad; others were confined in dungeons. The latter was the fate of Pulaski's father. But Casimir, with those left, carried on. At the head of a small force of cavalry, he performed heroic feats. With his brother he became a constant terror to the Russians, who were trying to capture him. Suffice it to say, for 4 years, under the most trying conditions and the greatest adversity, this patriotic organization under this great leader fought against overwhelming odds to oust the enemies of Poland from their country. But all their efforts proved fruitless. The aged Pulaski died in prison; one of General Pulaski's brothers was killed before his eyes by the enemy; the youngest brother was taken into captivity; and many of his countrymen were doomed to misery.

Gen. Casimir Pulaski was the leading spirit of his countrymen in this unequal struggle to preserve his nation intact. He fought bravely, tenaciously, and with the zeal of a young man then but 25 years old. Heedless of his foe, which was much more powerful than his poorly equipped army and much larger in size, he made repeated stands against the enemy. His fame as a cavalry leader spread throughout Europe.

"Never was there a warrior", says the historian Rulhière, "who possessed greater dexterity in every kind of service. Endowed by a peculiar gift of nature, strengthened by exercise, he was always the first to charge in person with an intrepidity which inspired his followers to imitate his example."

Casimir Pulaski not only lost his father and brothers in this glorious attempt to save Poland from the first of her ignoble partitions, but his estates were confiscated and he was proscribed by King Stanislaus and had to flee to Turkey. Thereafter Russia, Prussia, and Austria agreed to help themselves to large portions of Poland's territory, and had the effrontery to convene the Polish Diet and under duress compel it to sanction the beginning of what Henry Wharton called "the most flagrant violation of national justice and international law which has occurred since Europe emerged from barbarism."

Soon thereafter, in 1772, Count Casimir Pulaski issued his memorable manifesto, in which he said in part:

"I am not astonished that the enemies of my country, resolved on her ruin, should direct their shafts against those who most firmly resist their impetuosity, and that they should regard as such the brave Poles whom they have sacrificed and who are still repelling their most cruel attacks. \* \* \* My destiny was clear when, at the age of 21, far from yielding to the amusements of youth, I regarded every moment as lost which was not employed in repelling the enemies of my country. \* \* \* I have endeavored



to mark my course by an invincible fortitude. Neither the blood of one of my brothers, which was shed by the enemy before my eyes, nor the cruel servitude of another, nor the sad fate of so many of my relations and compatriots has shaken my patriotism \* \* \*"

Perhaps no better insight into the sturdy character of the illustrious Pulaski, known and revered in both Europe and America, could be given than the above excerpt from his manifesto. We are not surprised to hear a man of his lofty type later on, in August 1779, state to the Continental Congress:

"I could not submit to stoop before the sovereigns of Europe, so I came to hazard all for the freedom of America, and am desirous of passing the rest of my life in a country truly free and of settling as a citizen to fight for liberty."

As was said at the laying of the cornerstone of the monument to his memory at Savannah on October 11, 1853, "There soon came to him tidings that the people of another hemisphere had bid defiance to oppression and were arming for the struggle. The sound stirred the heart of Pulaski like the voice of a battle trumpet. It was a struggle for liberty. It was his cause, whoever the people and wherever the scene of conflict. Fate forbade him to achieve the independence of his own country, and true to the noble impulses of his soul, he came to aid in establishing that of America." "He saw", says Jared Sparks in his *American Biography*, "a new field opened for vindicating with his sword the same principles, the same rights of mankind, the same unchangeable laws of justice, as those for which he had wielded it with so much courage and singleness of purpose in his own country."

Benjamin Franklin, writing from Paris to General Washington on May 29, 1777, says:

"Count Pulaski, of Poland, an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers of Russia, Austria, and Prussia, will have the honor of delivering this into your excellency's hands."

Anthony F. Zaleski, writing of the life of this great hero, said:

"We can readily see and understand why men like General Pulaski and his famous countryman, General Kosciuszko, who also covered himself with undying glory in the Revolutionary War, were not soldiers of fortune nor waifs thrown to the surface of troubled waters by the love of adventure and quest of money or emolument, no matter what the cause might be that they were fighting for. These men fought long and hard to establish the principles of liberty and justice on their own soil; they were imbued with this spirit in their own country, and it was only natural that when they had given their best for these sacred ideals without success against tyrants and intriguing despoilers of humanity, they should hear the shot fired at Lexington that was 'heard round the world' with an eager ear, and should be willing to come to a foreign strand, although they neither understood the language nor were familiar with the customs of this strange people on another continent. The principles of human liberty and justice are essentially the same in every clime, and they were eager to resist a mighty empire that was trying to wrest them from a struggling people, a people whose slogan was 'give me liberty or give me death.'"

"Like his famous compatriot, General Kosciuszko, who, when he appeared before Washington and was asked by him what he could do, answered in a quiet way, 'Try me and see.' Pulaski did not wait for any appointment from Congress, but on hearing that the enemy was attacking Washington's forces hastened to join them as a volunteer."

General Pulaski landed in America about the middle of July 1777, and after presenting his letters to Washington and Congress, waited for Congress to take action. In the meantime, Washington's army passed through the streets of Philadelphia, on its way to Wilmington, Del. Spurred by the sight of marching soldiers, Pulaski, restless and eager to aid our cause as he was, decided not to wait for his commission but to follow the army as a volunteer. Captain Bentalou, an able officer who fought under Pulaski until he died and was himself wounded in the same engagement where Pulaski received his death wound at Savannah, Ga., writes:

"The inherent ardor of his warlike spirit, his habits of activity, and the desire of efficiently serving the cause which he had so warmly embraced, did not permit him to wait for the decision of Congress on his application, but he immediately joined the Army."

In Europe a member of the nobility, an officer of distinguished prestige; in America a private in the ranks. Such was Pulaski. He was not a "swivel-chair patriot." Not self but service was his life's motto. But, as was said by the British poet laureate on the death of Wellington, England's Iron Duke—

"The path of duty was the way to glory.  
He that walks it, only thirsting  
For the right, and learns to deaden  
Love of self, before his journey closes,  
He shall find the stubborn thistle bursting  
Into glossy purples, which outbredden  
All voluptuous garden roses."

So it was with him. His journey closed almost at the threshold of life; but before it ended, he found the blossoms which reward the man who walks the path of duty.

It is, in fact, remarkable that within 2 months after his arrival, on September 15, 1777, Congress elected Pulaski "commander of the horse with the rank of brigadier." He thus became our first Chief of Cavalry. He fought at Germantown within 3 weeks there-

after. That winter, when Washington was at Valley Forge, he quartered his men and horses at Trenton. In February, in the dead of winter, he engaged the British at Camden, and then at Haddonfield and Coopers Ferry.

In March 1778 he asked permission from General Washington and Congress to organize an independent corps, later to be known throughout the Colonies and throughout history as the "Polish Legion." In equipping it he is said to have spent \$50,000 of his own funds. These horsemen, among other arms, bore the famous Polish lances, a new weapon on this continent. His banner was made by the Moravian nuns at Bethlehem, Pa. Rated as the most expert horseman in the American Army, his service in leading and inspiring the cavalry arm of Washington is indeed inestimable. The development of modern warfare may be making cavalry a minor arm of national defense, but in those days of open war, of rapid movement, and close contact, without long-range guns, with poor roads, with no motor transport, railroads, or airplanes to spy out enemy positions, the man on horseback was perhaps the most valuable soldier we had. From the time Pulaski took command of that arm, it became a notable weapon of offense and defense. It is entirely possible that without it the cause of independence could not have been won.

An evening could be spent in recounting that service. I must come to the end—the siege of Savannah, Ga., in the fall of 1779, 2 years and 3 months after his landing on our shores. Leading in person a desperate charge, Pulaski was struck in the groin by shrapnel, and died 2 days later on board the brig *Wasp*—aged 31 years. He died that this Nation might live, and because he did so, he was borne—

From life's battle on his spears  
To the great Valhalla cloisters  
Of the ever-living years.

Since his time others have come from his native land to mix their blood with the blood of other peoples to make one common country and to build a single destiny. They have come to this country; they have come to South Bend, Laporte, Michigan City, Chicago, and scores of other cities. Today there are at least 4,000,000 Polish-Americans in America. Of that number, Pulaski was not the only one to die for this country. Since his time the Polish-Americans have offered their bodies in defense of his adopted flag on many a scene of courage and carnage—in the war for the Union, in the struggle against Spain, and in the great World War. The blood of Pulaski still beats in the veins of his sons.

In these latter years of sloth and selfishness which have helped bring on this present hour, when greed was god and patriotism a word that caused a slight curling of the lip in many polite decadent circles, I am reminded of what another great Pole said on this subject. His name was Joseph Conrad Korzeniowski. In reply to the statement that patriotism is a relic of barbarism, he nobly said, "Neither the great Florentine painter who closed his eyes in death thinking of his city, nor St. Francis blessing with his last breath the town of Assisi, were barbarians. It requires", he said, "a certain greatness of soul to interpret patriotism worthily, or else a sincerity of feeling denied to the vulgar refinement of modern thought, which cannot understand the august simplicity of a sentiment proceeding from the very nature of man."

"Vulgar refinement." We are suffocated with it. We need Washington and Pulaski once more in American life.

Pulaski, like Washington, could have chosen the easy course. They were both men of large means. But they recognized what wealthy men of recent years so often have not recognized, the responsibilities of rank and the trusteeship of wealth. It is the failure to recognize this responsibility that has contributed so much to the difficulties of today. Men have used wealth only to accumulate more wealth; they have used the vantage places of position and power to exploit rather than to serve. Washington, the first or second wealthiest man of the Colonies, placed his fortune at the hazard of combat. He served without pay. Pulaski, another wealthy man, defeated in his native land, loved liberty wherever she was worshiped, and worshiped her wherever she was loved. He came to our shores and offered Washington his sword and his purse. General Washington, in a letter to Congress recommending Pulaski for a commission as brigadier general, wrote:

"This gentleman has been, like us, engaged in defending the liberty and independence of this country and has sacrificed his fortune to his zeal for these objects. He derives from thence a title to our respect."

What a lesson to us these words are after a decade of selfish pursuit of selfish ends; after 10 years when country was forgotten and only the dollar remembered. The men who in recent years have amassed their millions to the impoverishment of their fellows are already forgotten, or remember only to be despised, but Washington and Pulaski still live. It is the old parable of sacrifice, of the seed that is lost in the ground. Not he who makes a fortune, but on the authority of George Washington, only he who is willing to "sacrifice his fortune" \* \* \* "derives from thence a title to our respect."

It is only men like Washington and Pulaski who can save us now.

Republics may be ungrateful, but God is just. He saves in his treasure chest all that great souls give away. He keeps what is lost. He preserves in human hearts a just account of every sacrifice upon the altar of freedom and country. And so in this anni-



versary year we read once more the time-worn truth that he who loseth his life shall find it.

And now permit me to close with some lines of verse written by me in honor of this occasion:

It is man's lot to die, for that's God's destiny,  
And death is only sad which leaves no legacy;  
But on this day we shall not grieve, we shall not mourn,  
For when Pulaski died America was born.

Mr. SEGER. Mr. Speaker, I know the Polish-American residents of my district will appreciate the honor being paid the memory of Gen. Casimir Pulaski by the passage of this Pulaski memorial day resolution.

Pulaski was only 31 years of age when he fell at the head of his troops at Savannah, October 11, 1779, but he had lived an abundant life, and the 4,000,000 of his countrymen who have come to our land to perpetuate the principles and ideals he died for are not unmindful of this national tribute.

In New Jersey, where Pulaski performed heroically prior to his campaign in the South, his memory is especially venerated. In my district bronze and marble statues, public parks, and playgrounds have been given his name, and our people meet to bear him tribute every year.

While we will acknowledge the services this gallant young officer gave to our cause in the Revolution in passing the bill, we will at the same time compliment the Polish people who have contributed so much toward the advancement of our country, especially in the field of art, music, literature, and engineering.

Poles were among the first to respond to the colors during the World War. I was the mayor of my home city of Passaic, N.J., during those stirring days, and our city has many of these fine people. I found them to be intensely patriotic, and I recall it was a Polish boy who was Passaic's first to make the supreme sacrifice in Flanders Fields.

#### REGISTRY OF CERTAIN ALIENS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to take from the table the bill S. 2692, relating to the record of registry of certain aliens and consider the same at this time.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I object.

#### SCHOOLS NEED FEDERAL FUNDS

Mr. COLLINS of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLLINS of Mississippi. Mr. Speaker, for the past 14 years I have many times, on the floor of the House and elsewhere, enunciated a policy which I believe is the highest form of practical patriotism and vital to the welfare of my country and of its citizens. This policy now demands immediate and ample emergency Federal aid for States and communities so that they may maintain their school standards at the highest level of efficiency.

The present depression, if it has done nothing else, has demonstrated to the world that the multiplying complexities of our social and economic system are going to demand better trained and better equipped men and women if our country is to continue to prosper and grow great.

I have pleaded and argued before that the Federal Government must render quick and sufficient assistance to localities whose educational facilities have suffered the terrible ravages of depleted State and municipal income, and the wholesale retrenchments in their school budgets.

I now hereby serve notice that I will press for immediate action by this House which will assure to American parents that their children will have proper schooling next year, and which will assure to American teachers and other school employees that they will be paid in money, and not in substitutes for money, for their loyal, efficient services. I pledge myself to use every legitimate means possible to secure this money for our great American school system for the academic year of 1934-35.

My own State, Mississippi, owes her teachers approximately one and one half million dollars of unpaid salaries. This debt exists in spite of the fact that although the teach-

ers of my State are paid, they receive scarcely any real money at all. Incredible as it may seem, the actual average pay for the elementary teachers of my State is about \$27 per month, and for high-school teachers with a college degree the average is about \$31 per month.

But Mississippi is not alone in facing such trying conditions. It is a national problem. All sections of our country are experiencing conditions which if let alone will give us a new generation poorly trained for its duties, half-literate and wholly unable to accept the responsibilities our great democracy thrusts upon them. This new generation must not be handicapped at a time when common sense, humanity, and expediency demand that it be strengthened. The forces that are taking away their inalienable rights to an education for useful citizenship are far beyond the control of the children and the young men and women who are suffering the wrong, and the implications of such a situation, if left unanswered and unmet by this Congress will bring our great country to a plight which none can foresee.

The illiterate of one State today is the problem of another State tomorrow. Illiteracy, and all the antisocial evils it carries in its wake know no State line. The transportation systems are still operating. The child who is denied schooling and cultural training in your State today is a fertile breeding ground for habits that will make him an unsatisfactory citizen in my State tomorrow.

Education, with its training for citizenship and useful living, is the true heart of our democracy. It is the life-blood of our social well-being. Without adequate educational facilities kept up to full standard throughout our country, our future may easily be visualized and it is not a bright picture that meets the eye.

I maintain that rendering aid to the States and municipalities in their fight to conduct their school systems unhandicapped is not only a right of the Federal Government but it is a duty of the Federal Government. It should ever be a privilege. In normal times the Federal Government does not feed hungry people; it does not clothe the naked; it does not furnish them with fuel and medical care. But we do not live in normal times today. These are times of great emergency, and our great Government which has justly assumed the responsibility in their emergency for the physical well-being of our people must similarly aid and help to maintain the spiritual and educational life of our people to the full.

To my mind, present conditions may well be described by paraphrasing that great writer, H. G. Wells—the situation is a race between education and catastrophe.

I might extend and amplify my philosophy of governmental responsibility in this time of emergency, but the figures on the plight of our American school systems bring out my contention far better. The figures I now quote were gathered and compiled by the National Committee for Federal Emergency Aid for Education. This committee is composed of 32 national civic organizations such as the American Federation of Labor, the National Congress of Parents and Teachers, the Young Women's Christian Association, the great farmers' organizations, the American Legion, and other groups thoroughly representative of our national life.

Not one of these groups is asking for a fundamental change in our educational system. They all stand foursquare for a State control system of public education, but every one of these organizations realize that the efforts to alleviate our emergency conditions must start with the prime consideration for the welfare and education of our children. Indeed, no single object could be placed higher in our recognition than that the income of the wealth of our Nation, now too highly concentrated, should be more equitably distributed, and in this new deal the children ought to be first.

These 32 organizations state that our schools must be adequately maintained by the States, and that when the State can no longer carry their burdens the Federal Government should render the necessary aid. The reason for this sensible contention is clearly evident in the figures adduced by these 32 organizations. Their report gives 9



incontrovertible reasons for securing Federal aid: (1) School revenues in 1933-34 have been seriously reduced below former figures; (2) school opportunities in 1934 have been inadequate or lacking; (3) Federal aid granted this year has been the only means of keeping many schools open; (4) enrollments next year will show significant increases; (5) property taxes, the chief source of school revenue, will be inadequate in 1934-35; (6) State school funds for 1934-35 will not offer sufficient relief to deplete local resources; (7) further State and local borrowing for school support is impracticable; (8) reports from most of the States indicate falling school revenues for 1934-35; (9) reports from most of the States indicate urgent need for Federal emergency aid for next year.

Consider just a few of these vital reasons for the necessity of Federal emergency aid. School expenditures are half a billion dollars below those of 5 years ago. In the last 5 years school expenditures per child enrolled have declined from \$90.22 per child in 1929 to \$66.53 per child in 1934. Before the first of this year 2,600 schools were closed and 140,000 children turned into the streets or the fields for their education. Except for Federal aid, 20,000 schools, involving more than 1,000,000 children, would be closed this very minute. In helping to have secured this Federal aid I take great pride.

Let me give you some more figures. Federal aid to schools kept 5,000 teachers in their regular classrooms. Hundreds of schools in rural communities completed a normal term only because of the more liberal interpretation recently given to the act authorizing Federal relief. And I am proud of my part in helping to secure this interpretation.

Abolition of child labor under the N.R.A. codes will increase enrollments, it is estimated, by more than 100,000. Facilities for these children must be provided. The States cannot do it; the Federal Government must do it.

Assessed valuations in our States have declined rapidly in the past few years. Tax delinquencies have mounted in the past few years. Tax limitation laws in many States further complicate the problem for the support of our schools. The growing indebtedness of States and municipalities creates new aspects of the problem of supplying adequate education for our children.

Let me quote from a significant portion of this report on our school systems. The report says:

Between February 6 and 20 communications were received from superintendents of public instruction in 44 States giving their best judgments as to the amount of emergency Federal aid that would be required in their respective States in order to maintain a school term of normal length in 1934-35.

Thirty-two of the reports say the Federal aid will be needed. Seven of the statements do not request Federal aid for next year specifically, but report emergency conditions in the States concerned.

These are just a portion of the facts. I hope this short résumé of them will give you a picture of the problem that confronts our educational system. Federal emergency aid is badly needed. Fair play, good business judgment, and the highest form of patriotism and public service demand immediate action in the interest of our schools. I intend to fight for this aid, as I have fought for our schools during the past 14 years, so that our educational system shall be maintained unimpaired. For if our schools fail, democracy fails, and our great form of government will perish from the earth. And this we are all pledged to prevent.

More than this, there is due to these children and these young men and young women an elemental justice. In building up the colossal machinery of our present civilization this generation has rightly or wrongly mortgaged their future with its own. We cannot in common humanity ask them to carry the burden and deny them the schooling that they need if they are to carry it successfully.

#### THE NECESSITY OF DEFENSE OF ALASKA

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a magazine article by Senator ROBINSON of Indiana, in respect to the military defenses of Alaska.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIMOND. Mr. Speaker, a few days ago I addressed the House on Alaska's strategic position in a proper plan of national defense in which I called special attention to the proximity of the Territory of Alaska to the continental United States, the fact that the main body of Alaska, containing on its coast innumerable safe and well-protected harbors and in its interior vast level plains, lies much nearer to the continental United States than do the Hawaiian Islands. I further called attention to the fact that the great circle route to the Orient, the line from the northern part of the Pacific coast of the United States to the Orient, runs just south of the great Aleutian chain of islands which stretch out from the main body of Alaska southwestward toward the northern part of the Japanese archipelago. I further adverted to the probability that in the future our most serious controversies would be with the nations that lie across the Pacific Ocean rather than with those of Europe. Today I have introduced a bill to provide for defense of the Nation, by the stationing of a military force, principally an air force, in Alaska.

I have endeavored to show the futility of spending millions in defensive works on the Hawaiian Islands and leaving Alaska entirely unguarded. Alaska is valuable in herself, and it is of the utmost importance in any scheme of the defense of the west coast of the United States. For with Hawaii fortified any attack from across the Pacific is bound to come by way of Alaska. Since I addressed the House on this subject I have read with great interest a magazine article by Senator ARTHUR R. ROBINSON appearing in the issue of Liberty Magazine of March 24, 1934, entitled "Will Japan Seize Alaska?" Senator ROBINSON made an extensive trip through Alaska in the summer of 1933, and it is evident from this article that he has grasped the importance not only of the actual resources of the Territory but also the very vital position which Alaska, a Territory of the United States, occupies with respect to the plan of national defense. This article is so important in its statement of facts and in its implications that I believe the people of the Nation should read it. It is as follows:

#### WILL JAPAN SEIZE ALASKA?

America's last frontier, with its limitless treasures, lies but a stone's throw from Yokohama. Is it wise to ignore this threat to peace and security at home? Here is an arresting warning from the Nation's Capital.

Would Japan like to have Alaska? Such a question posed today, with the seething unrest prevalent in the Orient and with Japan occupying Manchuria, to say nothing of the economic dilemmas which confront her, would seem to be an absurdity.

The truth is that such a question is far from absurd. The very forces which are operating in the Orient comprise threats and potential dangers not only to Alaska and to the North American Continent, but to the safety and security and peace of the United States.

Only a few years ago it was the fashion among intellectuals and pseudo-historical observers to hurl the epithets "alarmist" and "jingo" at anyone broad enough to point out rising dangers of a new war in the Orient which might threaten the United States; but subsequent trends have completely justified the many warnings of the past.

Moreover, we find we are now dealing with a new power in the Pacific. The new Japan—the power which has been rising rapidly for many years, but which threw off all disguise and challenged the world after the fateful September of 1931, when Manchuria was seized—is the undisputed leader in the Far East and one of the outstanding nations of the earth.

Events in the East indicate an alarming trend toward armed conflict. Saying that America is drifting toward war with Japan is not idle tub-thumping or sounding of alarms. It is the statement of a simple fact. By pointing out elements of friction and the dangers to world peace in the enigma of the Orient, we may be able to show how this problem can be met; how peace can be preserved.

But why discuss Alaska in relation to it?

Alaska is America's last frontier. It is a vast storehouse of resources—minerals, petroleum, lumber, furs, fish, livestock, and wild game. Here is a treasure chest of wealth which Japan could well use.

Japan has assumed Far Eastern leadership in the movement to make Asia safe for the Asiatics. The "rising tide of color" in the Orient is ominous warning to the West, where the prestige of the Occident declines. The chain of events during the last 3 years leads clearly to this conclusion: The capture of Manchuria, the occupation of Chapei in January 1932, the demilitarization of

Shanghai, the breaking of the Chinese boycott, the pact of May 5, 1932, the rout of volunteer leaders in north China, and the Tangku truce of 1933.

Let us look further into the potential threat to Alaska. This vast country, contrary to impressions gained from schoolbook maps, is a tremendous territory, a land of nearly 600,000 square miles. Nor is it a region of insufferable winters and unendurable rigors. Alaska lies three fourths within the North Temperate Zone and has three climatic provinces. The Pacific coastal region and the Aleutian Islands have a climate comparable to that of Scotland and the Scandinavian Peninsula, though somewhat warmer. The inland region assimilates the climate of Alberta, Saskatchewan, and Manitoba in Canada, while arctic conditions prevail only at the northernmost points of the Territory.

This land of glaciers, mountains, forests, mines, lakes, and streams could be ideally adapted to Japanese occupation if destiny should take such a turn.

Capable of supporting a large population if properly developed, Alaska now has only 59,000 inhabitants, about half of whom are Eskimos, Aleuts, and Indians, leaving only about 29,000 Americans residing in the entire region.

Mineral resources of the Territory include gold, silver, copper, coal, and lead, while other deposits yield antimony, tungsten, palladium, platinum, zinc, quicksilver, iron, peat, graphite, asbestos, mica, molybdenite, sulphur, and barite. Gold exports alone in 1932 totaled more than \$10,000,000. Copper is there in abundance and much coal is produced. In spite of the depression there has been comparatively little decline in the value of Alaskan minerals, which indicates the fundamental soundness of the Territorial mining situation.

More than 100,000 square miles of territory are capable of being developed agriculturally. Winter wheat and rye, oats, barley, spring wheat, hay, radishes, mustard, turnips, kale, lettuce, carrots, parsnips, parsley, peas, cress, cabbage, cauliflower, Brussels sprouts, onions, spinach, beets, potatoes, rhubarb, caraway, mint, catnip, sage, thyme, corn, cucumbers, beans, tomatoes, eggplant, and melons all thrive in Alaska.

Stock raising can be made very important. Cattle, sheep, and reindeer are even now raised quite successfully. In fact, the reindeer herd now numbers more than 700,000, and the first of these animals were imported from Siberia in 1892.

There is considerable timber in Alaska—white spruce, Alaska white birch, balsam, poplar, black spruce, and Alaska larch. In fact, all conditions are favorable to the establishment of a thriving pulpwood and paper industry.

In addition to coal, Alaska has numerous undeveloped water-power sites, with potential generating facilities ranging from 5,000 to 25,000 horsepower.

The fishing industry was the first to be developed, and since the purchase of the Territory from Russia in 1867 it has yielded more than \$950,000,000. It is well to mention in this connection that Japan even now operates in Alaskan waters a great floating cannery for the commercial handling of large sea crabs. In fact, she has a monopoly on this business.

Deserving of mention also is the great herd of fur-bearing seals which makes its headquarters on the Pribilof Islands in Bering Sea. The only other rookeries known are both small and unimportant. Last year 54,500 seals were killed for their skins, and it is estimated that without interfering with proper conservation 100,000 skins can be taken annually in the not distant future.

While the United States exercises sovereignty over the Pribilof Islands, supervises the killing, and manages conservation of the herd, an international agreement was consummated some years ago under the terms of which 15 percent of all the skins taken go to Japan and the same number to Canada; the rest belong to the United States. This pact was entered into in order to abolish pelagic sealing and to prevent extermination of the herd. The skins bring from \$20 to \$25 each in the world fur market at St. Louis.

The Alaska Railroad, costing more than \$60,000,000, connects the coast with the golden heart of Alaska at Fairbanks, nearly 500 miles away. New roads are being constructed throughout the Territory, and other types of communication dot the landscape. Aviation has been a boon to the people there and now more than 60 landing fields are in use. New airports are being built, and within the next 10 years there should be a network of railway, highway, and skyway facilities which would make every part of the vast domain accessible.

Notwithstanding the development that has taken place, the surface has scarcely been scratched to date, and one can easily understand how much these vast resources would mean to Japan with her rapidly expanding population and growing need for commodities which are not produced in her homeland. And a glance at the map will disclose that the Territory is literally within a stone's throw of Japan. The distance from Yokohama, Tokyo's seaport, to the westernmost part of Alaska is approximately 1,800 miles. The distance from Attu Island, westernmost end of the Aleutian chain, to Seattle is more than 2,400 miles. These figures speak for themselves.

Bering Sea is warmed by Pacific currents, while no ice is ordinarily encountered there after June. The great-circle route traversing the northern Pacific is by navigators always considered dangerous, due to fog, bad weather, unmarked islands, and uncharted seas. Nevertheless, the Japanese have charted it extensively; they navigate it constantly. The truth is they are far more familiar with Alaskan waters than is our own Navy. Their splendidly appointed passenger ships plying between Seattle and Yokohama use this route regularly, and apprentice seamen and

both senior and junior officers of their navy are thoroughly familiar with every mile of the course.

It is true that our Coast and Geodetic Survey has done some charting and the Navy has done some aerial map making in this northern area. The fact remains, however, that the United States Navy, which may be called upon at any time to defend Alaska, should make regular trips to those waters and spend far more time there than it has ever done in the past.

It is estimated that more than 65,000,000 people dwell on Honshu and the smaller islands of the Japanese Archipelago. The population is increasing at the estimated rate of 1,000,000 a year. Only 17 percent of the land is said to be capable of cultivation. With a shortage of foodstuffs and an unfavorable trade balance, Japan found her economic problem growing more difficult year by year. With a collapse of markets she had to expand.

Manchuria was just across the way; the result—military and economic penetration, bloodshed, and demolition of western prestige in the Far East. The advance on Manchuria was no mere flash in the pan. The Japanese thought it was necessary due to pressure at home; a pressure for which the Occident may well assume part of the blame. Japan's program of expansion may be said to have begun when the West, in 1853, under Commodore Perry, forced her into the family of "civilized" nations. The West sowed the wind and is now reaping the whirlwind.

In the philosophy of Japan aggression is something to be encouraged. She has seen it succeed elsewhere; and, in addition to the example of other nations so conveniently placed before her, there was the traditional function of the sword in her empire. As a close observer of oriental customs points out, the sword, as the Japanese understood it, was the weapon of the feudal retainer who used it to enforce a rigid moral code—a code based on "might rights wrong." Japan, inspired by this tradition, even before the turn of the century, embarked on a policy of enforcement of this code. She "saved" Korea from China; she "saved" China from Russia; she "saved" Shantung from Germany; and now her legions are in Manchuria to "save" that country from the bandits.

Several factors united to bring about Japan's invasion of the Continent of Asia. If she was to compete with modern nations, new lands and new resources were necessary. Manchuria, probably the richest Province in all Asia, seemed to be the logical objective. Japan had never been defeated and her ego knew no bounds. Her people boast that they represent the only unconquered race on the globe and that their destiny in its ultimate fulfillment calls for world dominion.

That the West has for many years been exploiting the East is patent; and this has given Japan an opportunity to exploit the fears of Asiatics and rationalize her own conquests into what amounts to a Pan Asiatic fervor; a fervor that is unquestionably growing throughout the continent.

Invading Manchuria Japan earned the opprobrium of the West by ruthlessly violating international agreements. Her answer was that she was faced with the alternative of obeying covenants and confronting economic suicide, or of following a policy learned from the West, which seemed to her to be sensible, economically considered, though it might violate conventions.

She ignored the new rules, invaded the continent, and took three provinces. In return she received verbal wrist-slappings from the League of Nations and some harsh words from other sources. But the island empire had the power and was not to be stopped by international diplomatic jargon. The Japanese are realists.

In her ruthless and relentless conquest of China, Japan has dealt a blow to Western prestige in the Orient from which it will probably not recover in the next century. She has debunked the military superiority of the West, at least in her own eyes; and sooner or later the West will have to debunk the Japanese myth of invincibility. At present, Western influence in the Orient has virtually collapsed.

With the conquest of Manchuria came the puppet state of Manchukuo, or Ta Manchu Tikuo. Western nations can either recognize it and thereby give it their sanction, or they can go to war to enforce treaties signed by Japan agreeing not to violate the integrity of China. The first alternative would virtually repudiate covenants entered into by all nations concerned.

The second alternative would probably involve the world in armed conflict. Indeed, if an economic boycott should be attempted against Japan, it would very likely result in war.

If Japan's conquest is recognized, she will have gained a great objective. It will mean utter defeat for the League of Nations and vindication and justification for Japan. Thus far Manchukuo remains unrecognized.

But what of China, whose great empire is being dismembered? There is no cohesion and little effective nationalism there. What China needs above all things is a strong central government and better means of communication. Meanwhile she is not only completely at the mercy of Japan but she accepts the situation philosophically. She feels that in her "spiritual strength" she will defeat Japan—that she may be temporarily conquered by superior military forces but that the Japanese will be taken in and assimilated and in a century or so lose their identity, while the great Chinese race goes on.

Moreover, China's fear of the island empire is not so great as her fear of the Reds. General Chiang Kai-shek has said, "Anyone who dares to advocate resistance to the Japanese until the Reds are defeated should be severely punished." And a little later, shortly after Sun Fo and Wang Ching-wei had endorsed this view, what is known as the Tangku truce of May 31, 1933, was signed.



Under the terms of this truce China is committed not to attack Manchukuo, while Japan agrees not to invade China proper south of the demilitarized area along the Great Wall. Thus Manchuria is conceded to Japan. Also the boycott, China's greatest weapon, is effectively ruled out. Immediately upon signing the truce, Japan started a campaign to win the friendship of the Chinese.

What are some of the results of these developments? First and foremost, Japan has been given the opportunity to launch a great Pan Asiatic crusade. Inflammatory posters in Japan read, "Asiatics, awake! Japan's army is the strongest in the world! Japan does not fight China but western domination of China and her present rulers! Asiatic comrades, unite! Overthrow white domination!"

In a recent speech Lieutenant General Kikatsu Sato, Japanese Imperial Army, retired, is quoted as saying, "It is our duty to detest and loathe the people of the United States. There is no need to employ honey-coated words or high-sounding expressions. We must speak out frankly and without reserve. Our enemy is the United States of America. Arise! Exert yourself! Prepare for the coming Japanese-American war. We must chastise our enemy, the United States of America."

An American correspondent quotes a Tokyo newspaper as follows: "Whatever may be their [Americans'] object, their actions are more despicable than those of the Germans, whose atrocities they attacked as worthy of the Huns. At least these Americans are barbarians who are on a lower plane of civilization than the Japanese."

Countless illustrations of Japanese feeling could be given, but the quotations above indicate very accurately the sentiment of the military party. A great Asiatic league is now in process of development among the peoples of the Orient. An esprit de corps is growing which foreshadows a real era of "Asia for the Asiatics." The movement is led by able and brilliant men, and is a trend that may well be considered.

Japan is supporting her myth of invincibility by building up her national defense. Today she has built completely up to the naval treaty limit, while the United States is not within 200,000 tons of the strength allowed her by the pact. When the next conference convenes Japan will demand parity in naval strength and probably get it. In short, Japan is eminently capable of taking care of herself, while the United States, considering the area she has to protect, is thoroughly weak and undermanned.

America does not seek war with Japan or any other nation. The American people are sick of war. We covet nothing possessed by any other country. All we desire is to be left alone; but, unfortunately, we may be attacked, and in such emergency must defend ourselves and our institutions.

True, we have one outpost in the Pacific. Pearl Harbor could and should be made the strongest naval base in the world. Indeed, it should be made impregnable, for, situated in the Hawaiian Islands, 2,100 miles from San Francisco, it is our farthest western stronghold.

Alaska stands out as a tempting morsel and is within a stone's throw of Japan. We talk in terms of high-sounding idealism and we evade realities. We are in no condition to engage in war. Our Navy is not up to the strength that security demands. As for Japan, she expects to keep her grip on Manchuria, and this attitude is expected to provoke a clash with the United States.

Tokichi Tanaka, former Japanese ambassador to Moscow, says that three potential sources of danger exist between Japan and the United States. One is the Manchurian affair, the other two are naval limitations and immigration regulations. He advises the world to forget the past and look to the future. He insists that America should withdraw from China and terminate extra-territoriality. Otherwise America's efforts will be considered an effort to checkmate Japan.

What would be the effect of war with Japan? Well, no one can predict with certainty. That we could win eventually is probably a conservative statement, but the campaign would doubtless be longer than most of our optimists think. Let us suppose that Japan were to capture the Aleutians. Using these as a base, she might conceivably go on to the mainland, and she would then be on the North American Continent. There she would be at our back door with the untold resources of Alaska at her command. This is something worth thinking about. This, indeed, would present a problem not to be solved by polite though firm notes from the State Department.

That war clouds hang low over the earth today is a fact, and Mars continues to seek victims. Because of this fact we must be prepared for any emergency that may arise. We must have a strong navy, capable of really defending the country and its sovereignty—a navy second to none on earth—one that will command the respect of the world.

Our quest is for peace with all men, but in that quest we must be prepared not only to wish for it but to demand it.

#### LEAVE TO ADDRESS THE HOUSE

Mr. KENNY. Mr. Speaker, I ask unanimous consent to address the House on Thursday morning next for one half hour, after the reading of the Journal and the disposition of business on the Speaker's table.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, on what subject?

Mr. KENNY. On the subject of a national lottery.

The SPEAKER. Is there objection?

There was no objection.

Mr. McDUFFIE. Mr. Speaker, the gentleman from Texas [Mr. MANSFIELD], Chairman of the Committee on Rivers and Harbors, wishes to address the House on Friday next for 40 minutes, and I ask unanimous consent that that permission be granted.

Mr. WHITTINGTON. Reserving the right to object, I am wondering if some other day would not suit as well. We have the public roads bill for that morning.

Mr. McDUFFIE. I did not know what the order of business would be. I spoke to the majority leader about it.

Mr. BYRNS. I had hoped to get the air mail bill and the good roads bill passed by Thursday.

Mr. WHITTINGTON. But it is specified for Friday on the program sent to the Members.

Mr. BYRNS. I do not know anything about the program, but I had hoped we could get through with the Johnson bill by Wednesday and take up both the air-mail and the good-roads bills on Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. McDUFFIE]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and disposition of matters on the Speaker's table, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### THE HUNDREDTH ANNIVERSARY OF THE ADMISSION OF THE STATE OF ARKANSAS INTO THE UNION

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the bill, S. 2901, which passed the House today.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. GLOVER]?

There was no objection.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, Senate bill No. 2901 now before Congress is a bill to authorize the coinage of a 50-cent piece in commemoration of the hundredth anniversary of the admission of the State of Arkansas into the Union.

Arkansas was admitted into the Union on June 15, 1836. The growth of this State within this 100 years has not been excelled by any State in the Union.

The State of Arkansas has more navigable streams than any State in the Union, and these water powers are just now being developed for the use and good of mankind. We hope in the next few years to have many other developments of water power in Arkansas.

This State has the most wonderful climate, taking into consideration the entire 12 months of the year, of any State. It has a variety of soils that will produce almost any crop that will grow in America. Our principal crop for many years has been the cotton crop, and in the production of cotton we now occupy the third place of all the States of the Union.

The bottom lands of this State cannot be excelled for the production of this crop. Corn is grown in such quantities as to meet the needs of the people of the State for feed for stock and for food purposes, but very little has been shipped out of the State.

The northern part of the State is especially adapted to the growing of apples, the Arkansas Black and many of the standard varieties are grown there in large quantities and shipped in train loads out of this State into other markets.

Arkansas is rich in coal, and much coal is mined in this State of as fine quality as can be found almost anywhere. For vegetables, strawberries, and grapes there is no State anywhere that can excel ours.

The State of Arkansas is one of the four States that produces the principal part of the rice crop for domestic consumption and for export. About 100,000 acres of prairie black land is used for the cultivation of rice, and no more

beautiful scene could be looked upon than these mighty fields of growing rice.

Arkansas also has one of the largest producing oil fields in the United States, and the supply seems to be inexhaustible, and other new fields are awaiting development when the demand for it comes.

Mining in our State is in its infancy yet, but is being rapidly developed.

Arkansas has the only diamond field in the United States, and some of the finest diamonds have been found there within the past few years that can be found anywhere.

It is in this State that the great Hot Springs National Park is situated, where the health-giving waters flow out of the mountain side, that has been a panacea for the ills of the nations. Thousands of persons go there annually in pursuit of health and go away restored to full health.

In this State the great bauxite mines are located at Bauxite, Saline County, Ark., which is the finest supply of bauxite in the United States and is there in inexhaustible quantities.

The State of Arkansas in the past few years has been on an extensive program of building highways. The State is now connected with some of the finest highways in the United States.

Time will not permit me to discuss all of the developments of this great State.

The first section of the bill provides that in commemoration of the one hundredth anniversary of the admission of the State of Arkansas into the Union there shall be coined at the mints of the United States 500,000 silver 50-cent pieces of such design as the Director of the Mint, with the approval of the Secretary of the Treasury, may select; but the United States shall not be subject to the expense of making the models or master dies or other preparations for this coinage.

The second section of the bill provides that all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise shall, so far as applicable, apply to the coinage authorized by this act.

Section 3 of the bill reads as follows:

The coins authorized by this act shall be issued only to the Arkansas Honorary Centennial Celebration Commission, or its duly authorized agent, in such numbers, and at such times as they shall be requested by such commission or any such agent, and upon payment to the United States of the face value of such coins.

This bill was introduced by the junior Senator from Arkansas, Hon. HATTIE W. CARAWAY, the first and only woman ever elected to the United States Senate.

These silver coins will be bought by the citizens of the State and kept as souvenirs, and will be sold at a price that will enable the Arkansas Honorary Centennial Celebration Commission to suitably prepare for the celebration of this great event.

We invite you ladies and gentlemen of Congress to visit our State on this occasion and let us demonstrate to you the things I have said about Arkansas are true.

#### RAILROAD PENSION LEGISLATION

Mr. KELLER. Mr. Speaker. I ask unanimous consent that the gentleman from Ohio [Mr. CROSSLER] and I be permitted to enter a joint bill on railroad-pension legislation in this body.

Mr. MARTIN of Massachusetts. Reserving the right to object, that is rather unusual, is it not?

Mr. KELLER. I understand that it is unusual and that is the reason I am asking the unanimous consent for it.

Mr. MARTIN of Massachusetts. What is the purpose of it?

Mr. KELLER. The purpose is simply this: There have been two schools putting forward railroad-pension laws. The gentleman from Ohio [Mr. CROSSLER] represents one

school, and I represent another. We have got together on a bill and should like to introduce it jointly.

The SPEAKER. Both gentlemen can introduce the same bill, but not jointly. It is against the rules of the House.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ROGERS of New Hampshire, at the request of Mr. CONNERY, indefinitely, on account of illness in his family.

To Mr. CELLER, indefinitely, on account of illness.

To Mr. GRAY, for the remainder of the week, on account of important business.

To Mrs. NORTON, indefinitely, on account of the serious illness of her husband.

#### CONSENT CALENDAR

Mr. MOTT. Mr. Speaker, I ask unanimous consent to return to the Consent Calendar for the purpose of taking up no. 262 on the calendar, H.R. 7922.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. TRUAX. Reserving the right to object, what is the bill to which the gentleman refers?

Mr. MOTT. This bill is a bill conveying to the State of Oregon a part of some lighthouse property which is no longer wanted by the Government, and which the Government desires to convey to the State of Oregon for highway and park purposes. The highway department is undertaking that work now, and they have no authority without this bill. If we wait until the next Consent Calendar day, it will be a very great handicap.

Mr. TRUAX. Was the bill objected to today?

Mr. MOTT. No. It was not reached. It is no. 262.

Mr. TRUAX. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. MOTT]?

There was no objection.

#### YAQUINA BAY LIGHTHOUSE RESERVATION, OREG.

The Clerk called the bill (H.R. 7922) authorizing the Secretary of Commerce to dispose of a portion of the Yaquina Bay Lighthouse Reservation, Oreg.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of Commerce is hereby authorized to convey to the State of Oregon (State Highway Commission), for public-highway and park purposes, the unused portion of Yaquina Bay Lighthouse Reservation, Oreg., containing an area of approximately 22 acres, more or less, excepting that part of lot 1, section 17; part of lot 1, section 18; and part of lot 5, section 8, all in township 11 south, of range 11 west, bordering on Yaquina Bay which is required for jetty purposes by the War Department, and reserving to the Commerce, Treasury, and War Departments the rights of ingress and egress over the land so transferred and to maintain thereon such facilities as these Departments may at any time require. The deed of conveyance shall describe by metes and bounds the land so transferred to the State of Oregon and contain the express condition that the grantee assumes the obligation of carrying out the purposes of the grant; and provide that the Secretary of Commerce may at any time by letter addressed to the Oregon State Highway Commission notify the grantee in the event it has not begun to perform, or has ceased to perform, any such obligations that the property so conveyed will revert to the United States; and if the grantee does not begin or resume the performance of such obligations within a period of 6 months from date of such notice, such property shall upon the expiration of such period revert to the United States without further notice of demand or any suit or proceeding.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PERMANENT JUDGESHIP

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.



Mr. HEALEY. Mr. Speaker, this bill is for the creation of a permanent judgeship to fill the vacancy caused by the death of the late Justice Lowell.

The Judiciary Committee voted unanimously to favorably report this bill. The judgeship which this bill proposes to make permanent was created by an act of Congress in 1922 which did not provide for the survival of the judgeship after the death of the incumbent.

From 1922 to 1930, the population of Massachusetts increased by approximately 400,000—a 10-percent increase—and now the population of Massachusetts is, in round figures, 4,300,000, according to the 1930 census; and, according to the senior judge now sitting, the work of the court has been more than doubled since he was appointed in 1922, and this is borne out by the statistics found in the reports of the attorney general for this court.

Although three judges have extended the length of the sessions, they have been unable to handle the work of this court, and it has been necessary to frequently call in outside assistance, when it was available. But even with the three judges plus the outside assistance, the number of cases pending at the end of the year still remains large. There were pending at the close of the year 1933 some 1,942 cases, and at the close of the year 1932 there were 1,810 cases pending.

In addition to the civil, criminal, admiralty, and bankruptcy cases, the court has a large number of naturalization cases. In 1931 to 1932 there were 6,685 cases filed; and in 1932-33 there were 4,337 cases filed. Over 9,000 persons were admitted to citizenship in 1932-33. In 1932 there were 2,495 bankruptcy cases filed; and in 1933, 2,162 bankruptcy cases were filed.

There are 19 States with less population than Massachusetts, having as many district court judges (two) as Massachusetts, and there are 10 with less population having more judges than Massachusetts. There is no State with the same population having as few judges as Massachusetts.

The thickly settled area with highly industrialized commercial activities of the State, naturally involving diversity of citizenship, has a natural tendency to foster conflict of interests and consequent recourse to court litigation.

Because of the character of its industry and commerce, many cases filed in the court are complex and technical and require long and protracted hearings presenting difficult questions of law for determination.

On Saturday the House passed 10 crime bills which confer additional jurisdiction on the United States courts. These bills were passed to aid and assist the Attorney General in his war on crime and in a speedy administration of justice. Surely, then, we do not want to leave this court in its crippled and impaired condition. If this bill is not passed at this session, it is bound to result in a break-down in the functions of this court and a great impairment of the administration of justice. The dockets and calendars will become congested, and it will take many years to correct the situation.

The port of Boston is located in Massachusetts and also many other smaller ports. This gives rise to a great number of admiralty cases which are of a complex and difficult nature and take up a great deal of the time of the courts.

A study of the figures taken from the Attorney General's reports from year to year (1922-33, inclusive) shows that, even with three judges and lengthened sessions of the court, the court was still unable to keep the calendar cleared. The figures show that the ordinary civil jury trials, whether those between private individuals or those between the United States and a private individual, cannot be reached until more than 2 years after the case is introduced. Criminal cases, if the cases are tried in the order in which they are introduced, must wait from 4 to 6 months before they can be tried or disposed of. It is apparent, then, that even when three judges were sitting there was an excessive delay before justice could be properly set into operation.

I have briefly presented the situation which has existed in the United States District Court for the District of Massa-

chusetts, not with 2 judges but with 3. Struggling now with a task which was too great for 3 judges, this court with only 2 judges is facing a most critical situation.

The vacancy on this court caused by the death of Judge Lowell has created an emergency which makes imperative the passage of this legislation in order that the administration of justice may not be seriously impaired by the congestion of dockets. The court should be prepared to try and dispose of criminal cases with dispatch and guarantee to litigants before the court that their cases will be disposed of within a reasonable time. If this legislation is not passed by this session of Congress, the impairment and damage caused the court may be so serious that it will require many years to restore the court to its proper functioning and perhaps a greater expenditure of public funds.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2460. An act to limit the operation of statutes of limitations in certain cases.

#### ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p.m.) the House adjourned until tomorrow, Tuesday, May 8, 1934, at 12 o'clock noon.

#### COMMITTEE HEARING

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Tuesday, May 8, 10 a.m.)

Hearings on H.R. 8301, communications bill.

#### EXECUTIVE COMMUNICATIONS, ETC.

452. Under clause 2 of rule XXIV a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1934, to remain available until expended, for the Department of Agriculture, amounting to \$150,000 (H.Doc. No. 358) was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLAND: Committee on Merchant Marine, Radio, and Fisheries. H.R. 9233. A bill authorizing associations of producers of aquatic products; with amendment (Rept. No. 1504). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of New Hampshire: Committee on Military Affairs. House Report 1506. A report in connection with the investigation under House Resolution 275. Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. McLEAN: Committee on Military Affairs. S. 101. An act for the relief of Robert Gray Fry, deceased; without amendment (Rept. No. 1503). Referred to the Committee of the Whole House.

Mr. KELLER: Committee on the Library. H.R. 7290. A bill authorizing the President to present a gold medal to George M. Cohan; without amendment (Rept. No. 1505). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Ways and Means was discharged from the consideration of the bill (H.R. 9459) relating to Philippine currency reserves on deposit in the United States, and the same was referred to the Committee on Insular Affairs.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKSTEIN: A bill (H.R. 9518) to clarify the provisions of section 19 of the Immigration Act of February 5, 1917, to authorize the deportation of the habitual criminal, to guard against the separation from their families of aliens of the noncriminal classes, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. WERNER: A bill (H.R. 9519) to preserve the individual estates which have been allotted to individual Indians heretofore, and which may hereafter be made, by extending the trust periods and restrictions against alienation until further action by Congress; and providing that the only alienation that may be approved shall be to preserve the life or health of an allottee, for which purpose funds are necessary; to the Committee on Indian Affairs.

By Mr. TRUAX: A bill (H.R. 9520) to repeal the provisions of title 26, United States Code, sections 1046, 1065, 3321, and 3322, etc., providing for administrative refund by the United States Treasury Department of overpayments and illegal collections of income-tax assessments and to reduce the statute of limitations applying to suits in the United States courts for tax refunds to 1 year from the time the tax was paid; to the Committee on Ways and Means.

By Mr. WOODRUFF: A bill (H.R. 9521) to legalize a pier along the west coast of Lake Huron, Mich., at Greenbush, Mich.; to the Committee on Rivers and Harbors.

By Mr. CONNERY: A bill (H.R. 9522) to grant the consent of Congress for the county commissioners of Essex County, in the State of Massachusetts, to construct a bridge across the Merrimack River; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Alabama (by request): A bill (H.R. 9523) to authorize the Secretary of War to sell or dispose of certain surplus real estate of the War Department; to the Committee on Military Affairs.

By Mr. DIMOND: A bill (H.R. 9524) to provide more effectively for the national defense by augmenting the military garrison and establishing military utilities in Alaska; to the Committee on Military Affairs.

By Mr. HOWARD (by departmental request): A bill (H.R. 9525) to reserve 80 acres on the public domain for the benefit of the Kanosh Band of Indians in the State of Utah; to the Committee on Indian Affairs.

By Mr. DIES: A bill (H.R. 9526) authorizing the city of Port Arthur, Tex., or any commission designated by it, and its successors and assigns, to construct, maintain, and operate a bridge over Lake Sabine at or near Port Arthur, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H.R. 9527) to amend section 5 of the Reconstruction Finance Corporation Act; to the Committee on Banking and Currency.

By Mr. RICHARDS: A bill (H.R. 9528) to amend section 32 of the Emergency Farm Mortgage Act of 1933; to the Committee on Agriculture.

By Mr. HOPE: A bill (H.R. 9529) to amend the Packers and Stockyards Act, 1921; to the Committee on Agriculture.

By Mr. LLOYD: A bill (H.R. 9530) granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows"; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE: A bill (H.R. 9531) to add certain lands to the Idaho and Weiser National Forests; to the Committee on the Public Lands.

Also, a bill (H.R. 9532) to add certain lands to the Salmon National Forest; to the Committee on the Public Lands.

By Mr. KOPPLEMANN: Resolution (H.Res. 377) that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Concurrent Resolution 32; to the Committee on Rules.

By Mr. BYRNS: Joint resolution (H.J.Res. 335) authorizing an appropriation for the expenses of the arbitration of

the claim of George R. Jones Co., Inc., against the Government of Norway; to the Committee on Foreign Affairs.

By Mr. McREYNOLDS: Joint resolution (H.J.Res. 336) to authorize the return of a speaker's mace to the Dominion of Canada; to the Committee on Foreign Affairs.

By Mr. McLEOD: Joint resolution (H.J.Res. 337) requesting the President of the United States to invite all State governors to a conference for the purpose of formulation and adoption of a Nation-wide program to reduce excessive costs of State governments and their local subsidiaries by reorganization of local governmental systems and elimination of all obsolete and unnecessary offices and functions; to the Committee on Ways and Means.

By Mr. MITCHELL: Joint resolution (H.J.Res. 338) providing that further appointments in the Bureau of Industrial Alcohol and certain appointments in the Bureau of Internal Revenue shall be made from an eligible list hereafter established; to the Committee on the Civil Service.

By Mr. KENNEY: Joint resolution (H.J.Res. 339) memorializing the States and Territories of the United States to require the taking of an oath of allegiance to the Constitution of the United States by all teachers of the public schools and other institutions of learning, and for other purposes; to the Committee on Education.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York, endorsing the report of President Roosevelt's Committee on Wild Life Restoration; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Illinois in support of Senate bill 1978 and House bill 6157; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H.R. 9533) for the relief of Ely Khmara; to the Committee on Claims.

By Mr. BRUMM: A bill (H.R. 9534) for the relief of Martha Palitis; to the Committee on Claims.

By Mr. CARTER of California: A bill (H.R. 9535) for the relief of Joseph V. Higgins; to the Committee on the Civil Service.

By Mr. DIMOND: A bill (H.R. 9536) for the relief of the Holy Cross Mission Hospital; to the Committee on Claims.

By Mr. ELLZEY of Mississippi: A bill (H.R. 9537) authorizing the payment of compensation to Fred L. Applewhite for the death of his son, Fred L. Applewhite, Jr.; to the Committee on Claims.

By Mr. GOLDSBOROUGH: A bill (H.R. 9538) for the relief of Zedic N. Draper; to the Committee on Military Affairs.

By Mr. JOHNSON of Oklahoma: A bill (H.R. 9539) granting a pension to Henry S. Dyer; to the Committee on Pensions.

By Mr. LEE of Missouri: A bill (H.R. 9540) granting a pension to John Clavin Bonebrake; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H.R. 9541) granting a pension to Mary E. Prouty; to the Committee on Invalid Pensions.

By Mr. MARLAND: A bill (H.R. 9542) granting a pension to James Virgil Wright; to the Committee on Pensions.

By Mr. SUMNERS of Texas: A bill (H.R. 9543) for the relief of Robert Luther Milan; to the Committee on Naval Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4533. By Mr. BOYLAN: Letter from the Pattern Maker's League Association of New York and vicinity, favoring the Wagner-Connery Disputes Act; to the Committee on Labor.



4534. Also, letter from the James J. Thompson & Son, Inc., New York City, favoring the Cartwright bill appropriating money for roads, etc.; to the Committee on Appropriations.

4535. By Mr. CONNERY: Petition of the United Veterans Political League of America, Revere Branch 101, Revere, Mass., condemning the spread of Naziism through an organized body with headquarters in Boston, Mass.; to the Committee on Foreign Affairs.

4536. By Mr. GOODWIN: Petition of the Daughters of the American Revolution, Schoharie, Schoharie County, N.Y., respectfully petitioning Congress for favorable action on the Patman motion-picture bill (H.R. 6097) providing higher moral standards for films entering interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

4537. By Mr. KELLY of Pennsylvania: Petition of the members of Ladies Auxiliary, One Hundred and Seventh Field Artillery, American Expeditionary Force Veterans Association of Pittsburgh, Pa., favoring the Patman bill (H.R. 1); to the Committee on World War Veterans' Legislation.

4538. Also, petition of the citizens of Allegheny County, Pa., protesting against curtailment of service by the Post Office Department; to the Committee on the Post Office and Post Roads.

4539. Also, petition of the citizens of McKeesport, Pa., protesting against curtailment of service of the Post Office Department; to the Committee on the Post Office and Post Roads.

4540. Also, petition of the citizens of Wilkinsburg, Pa., protesting against legalization of race-track gambling and lotteries; to the Committee on the District of Columbia.

4541. Also, petition of the residents of Pitcairn, Pa., favoring the McLeod bill; to the Committee on Banking and Currency.

4542. By Mr. LINDSAY: Petition of the Chamber of Commerce of the State of New York, New York City, opposing the passage of House bill 9363; to the Committee on Immigration and Naturalization.

4543. Also, petition of the Railroad Employees' National Pension Association, Chicago, favoring the passage of the Hatfield-Wagner railroad retirement pension bill (S. 3231); to the Committee on Labor.

4544. Also, petition of the American Farm Bureau Federation, Washington, D.C., opposing Senate bill 3025; to the Committee on Banking and Currency.

4545. Also, petition of the Ladies Auxiliary of Branch 2, United National Association of Post Office Clerks, Brooklyn, N.Y., opposing further payless furloughs for postal employees; to the Committee on the Post Office and Post Roads.

4546. Also, petition of the Pattern Makers' League of North America, New York City, urging the passage of the original Wagner-Connery bill; to the Committee on Labor.

4547. By Mr. REID of Illinois: Petition of 102 citizens of Joliet, Will County, Ill., urging the passage of House bill 6836, providing for the regulation of trucks and busses, and House bill 8100, repealing the long-and-short-haul provision of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

4548. By Mr. RUDD: Petition of the Pattern Makers' League of North America, New York City, favoring the passage of the Wagner-Connery disputes bill; to the Committee on Labor.

4549. By Mr. SADOWSKI: Petition of the Taxpayers' Association of Hamtramck, Mich., endorsing Brown pay-off bill; to the Committee on Banking and Currency.

4550. By Mr. SMITH of Washington: Petition containing approximately 800 signatures of residents in the southwestern section of the State of Washington, in behalf of the Townsend old-age revolving pension plan; to the Committee on Labor.

4551. By Mr. WOLCOTT: Memorial of the City Council of New Baltimore, Mich., urging the enactment of the McLeod bill (H.R. 7908); to the Committee on Banking and Currency.

4552. Also, memorial of the Township Board of Bruce Township, Macomb County, Mich., urging the enactment of

the McLeod bill (H.R. 7908); to the Committee on Banking and Currency.

4553. By the SPEAKER: Petition of the municipal government of Zaragoza, Province of Nueva Ecija, P.I.; to the Committee on Insular Affairs.

4554. Also, petition of Gobierno Municipal De Calapan Provincia De Mindoro, I.F.; to the Committee on Insular Affairs.

4555. Also, petition of Gobierno Municipal De Badajoz Provincia De Romblon, I.F., to the Committee on Ways and Means.

## SENATE

TUESDAY, MAY 8, 1934

(Legislative day of Thursday, Apr. 26, 1934)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

### THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 7, was dispensed with, and the Journal was approved.

### CALL OF THE ROLL

Mr. FLETCHER. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|          |              |             |                |
|----------|--------------|-------------|----------------|
| Adams    | Couzens      | Kean        | Reynolds       |
| Ashurst  | Cutting      | Keyes       | Robinson, Ark. |
| Austin   | Davis        | King        | Russell        |
| Bachman  | Dickinson    | La Follette | Schall         |
| Bankhead | Dieterich    | Lewis       | Sheppard       |
| Barbour  | Dill         | Logan       | Shipstead      |
| Barkley  | Duffy        | Loneragan   | Smith          |
| Black    | Erickson     | Long        | Steiwer        |
| Bone     | Fess         | McCarran    | Stephens       |
| Borah    | Fletcher     | McGill      | Thomas, Okla.  |
| Brown    | Frazier      | McKellar    | Thomas, Utah   |
| Bulkeley | George       | McNary      | Thompson       |
| Bulow    | Gibson       | Metcalf     | Townsend       |
| Byrd     | Glass        | Murphy      | Tydings        |
| Byrnes   | Goldsborough | Neely       | Vandenberg     |
| Capper   | Gore         | Norbeck     | Van Nuys       |
| Caraway  | Hale         | Norris      | Wagner         |
| Carey    | Harrison     | Nye         | Walcott        |
| Clark    | Hastings     | O'Mahoney   | Walsh          |
| Connally | Hatch        | Overton     | Wheeler        |
| Coolidge | Hayden       | Patterson   | White          |
| Copeland | Hebert       | Pittman     |                |
| Costigan | Johnson      | Pope        |                |

Mr. LEWIS. I announce the absence of the Senator from California [Mr. McAdool] caused by illness, and the absence of the Senator from North Carolina [Mr. BAILEY] and the Senator from Florida [Mr. TRAMMELL] made necessary by public business.

Mr. HEBERT. I announce that the Senator from Pennsylvania [Mr. REED], the Senator from Indiana [Mr. ROBINSON], and the Senator from West Virginia [Mr. HARTFIELD] are unavoidably absent. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

### PREVENTION OF CRIME

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the following bills of the Senate:

S. 2080. An act to provide punishment for killing or assaulting Federal officers;

S. 2249. An act applying the powers of the Federal Government, under the commerce clause of the Constitution, to extortion by means of telephone, telegraph, radio, oral message, or otherwise;

S. 2252. An act to amend the act forbidding the transportation of kidnapped persons in interstate commerce;

S. 2253. An act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution in certain cases;

S. 2575. An act to define certain crimes against the United States in connection with the administration of Federal